



Arlington Conservation Commission

Date: Thursday, May 4, 2023

Time: 7:00 PM

Location: Conducted by Remote Participation

Please register in advance for this meeting. Reference materials, instructions, and access information for this specific meeting will be available 48 hours prior to the meeting on the Commission's agenda and minutes page. Pursuant to State Legislation suspending certain provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the May 4, 2023, public meeting of the Arlington Conservation Commission shall be physically closed to the public to avoid group congregation. The meeting shall instead be held virtually using Zoom. Please note: Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law. This agenda includes those matters which can be reasonably anticipated to be discussed at the meeting.

Agenda

1. Administrative
 - a. April 13 and 20 2023, Meeting Minutes
 - b. Correspondence Received
All correspondence is available to the public. For a full list, contact the Conservation Agent at concomm@town.arlington.ma.us.
2. Discussion
 - a. 88 Coolidge Request for Permit Amendment
 - b. Poet's Corner Abbreviated Notice of Resource Area Determination
 - c. 1165R Massachusetts Avenue Request for Minor Change
 - d. Artificial Turf Forum
 - e. Symmes Conservation Restriction / Arlington 360
 - f. Water Bodies Working Group
 - g. Tree Committee Liaison
 - h. Park & Recreation Commission Liaison
3. Hearings

Notice of Intent: 5 Mystic Lake Drive (Continuation)

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This public hearing will consider a Notice of Intent to redevelop a two-family dwelling at 5 Mystic Lake Drive. The subject site is in the Riverfront Area and Buffer Zone to Mystic River, and Bordering Land Subject to Flooding (Zone AE).

Notice of Intent: Upper Mystic Lake Aquatic Management

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This public hearing will consider a Notice of Intent to manage aquatic vegetation at Upper Mystic Lake in Land Under Water.

Notice of Intent: Hill's Pond Aquatic Management

Notice of Intent: Hill's Pond Aquatic Management

This public hearing will consider a Notice of Intent to manage aquatic vegetation at Hill's Pond in Land Under Water.



Town of Arlington, Massachusetts

Correspondence Received

Summary:

Correspondence Received

All correspondence is available to the public. For a full list, contact the Conservation Agent at concomm@town.arlington.ma.us.

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Correspondence_Received_re_Parcel_at_Poets_Corner.pdf	Correspondence Received re Parcel at Poets Corner

Re: Question re: parcel at Poet's Field

David Morgan <dmorgan@town.arlington.ma.us>

Mon 5/1/2023 8:54 AM

To: Adelina Carney <adelinacarney@gmail.com>; ConComm <ConComm@town.arlington.ma.us>

Hi Chuck,

If the deal with the Archdiocese isn't transacted, Poet's Corner would remain a Town open space. The parcel is protected by [Article 97](#). It would remain Recreation Department property and be within the jurisdiction of the Conservation Commission.

The neighboring parcel that is owned by the Archdiocese may be sold. All of the criteria in the Wetlands Protection Act and our local bylaw would apply to any development that might follow. Another consideration is that redeveloping a landfill comes with hazard mitigation considerations. It's impossible to say at this stage how that would shape the site's redevelopment, but it is a complicating factor.

Cheers,

David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development | 781.316.3012

Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.

From: Adelina Carney <adelinacarney@gmail.com>

Sent: Friday, April 28, 2023 12:55 PM

To: ConComm <ConComm@town.arlington.ma.us>

Subject: Question re: parcel at Poet's Field

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi conversation commission,

I know you're quite busy with the debate about Poets. The main argument centers around the safety of using Turf. However, I was wondering about the Wetlands classification of the parcel owned by the Archdiocese and what impact that would have on either the option to turf that area or develop it.

What restrictions would there be on preserving the designated wetlands space if a turf decision were made?

What restrictions would there be on a developer who wanted to build on the Archdiocese parcel?

I was hoping you might have a view on this.

Thanks

Chuck Carney
2 Kimball Road

p.s. I was up at the parcel today and there were two Killdeer at the edge of the wetlands.



Town of Arlington, Massachusetts

Water Bodies Working Group

Summary:

Water Bodies Working Group



Town of Arlington, Massachusetts

Notice of Intent: 5 Mystic Lake Drive (Continuation)

Summary:

Notice of Intent: 5 Mystic Lake Drive (Continuation)

This public hearing will consider a Notice of Intent to redevelop a two-family dwelling at 5 Mystic Lake Drive. The subject site is in the Riverfront Area and Buffer Zone to Mystic River, and Bordering Land Subject to Flooding (Zone AE).

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	5_Mystic_Lake_Drive_Supplemental_Materials.pdf	5 Mystic Lake Drive Supplemental Materials

MEMORANDUM

To: Arlington Conservation Commission

From: John Barrows, P.E.

Subject: 5 Mystic Lake Drive, Proposed Two-Family Dwelling
Climate Change Resilience (Section 32)

Date: April 27, 2023

The 5 Mystic Lake Drive project has been designed with an effort to reduce impacts to the wetland resource areas while providing measures to reduce the impacts of climatic changes to the area. The proposed measures will address the requirements of Section 32-Climate Change Resilience in the Town of Arlington's Wetland protection Regulations.

All of the proposed building construction has been sized and located above the FEMA 100-year flood hazard elevation, floodway and outside the 100-foot inner riparian zone of the Riverfront Area. Site grading will be limited to the reestablishment of lawn areas, landscaping, and the proposed roof drainage groundwater recharge system. The project's site development proposes to slightly lower the grades in the flood hazard areas of the site that will be disturbed. This will ensure that there will be a slight increase of flood storage once the site has been constructed.

The site has also been designed to limit the about of impervious surfaces. By using paver strips on the driveways, small flag stones for the walks, and limiting the proposed building footprint, the area of proposed impervious surfaces will be slightly less than the amount present. The building will include a roof drainage system that will be connected to underground infiltration chambers. This will also help reduce peak flows and volumes of stormwater generated by the property.

The areas outside of the property's existing building footprints and impervious surfaces are primarily manicured grasses. There isa small amount of landscaping against the building and a single shade tree on the property. To compensate for the increase in Riverfront Area degradation (479 s.f.), a

Salem Village Consulting, LLC

planting area approximately 1,000 s,f, in size is proposed in the lower elevations located in the northern area of the property. The plantings will include native shade trees, shrubs, and ground covers that are hardy and drought resistant. The plants will be established in a mulch bed that will help to stabilize the site during extreme rainfall events, capture nutrient laden run-off, and prevent erosion and sediment movement.

By creating a comprehensive planting area with shading tree canopies and minimizing the amount of impervious surfaces on the property, the effects of extreme heat events will be mitigated and a stable environment for local wildlife will be created.

The proposed dwelling will create additional housing on a similar sized building footprint. The new dwelling will be constructed to meet the 2023 Massachusetts Stretch Energy Code requirements. The new home will be required to be constructed with energy efficient insulation, windows, and mechanical components. The proposed building will be a significant improvement in energy usage and ultimately a reduction in greenhouse gases.

Please refer to the site plans prepared by Salem Village Consulting, LLC dated; February 27, 2023, revised, 4/27/23 and the planting plan prepared by Oxbow Associates, Inc. dated 4/26/23 for specific information on the proposed project.

Salem Village Consulting, LLC

May 1, 2023

Mr. David Morgan
Arlington Conservation Administrator
Arlington Conservation Commission
Town Annex
730 Mass Ave
Arlington, MA 02476

RE: 5 Mystic Lake Drive, Notice of Intent Supplemental Information

Dear David,

Attached for your use supplemental information related to the Notice of Intent filing for the above-mentioned address. These documents reflect changes and additional information requested at the recent Conservation Commission hearing.

The revisions and supplemental materials include;

1. A memo describing how the site meets the standards of the Arlington Wetland Regulations on Climate Change Resiliency.
2. An exhibit depicting the existing and proposed areas of Riverfront degradation.
3. A revised planting plan prepared by Oxbow Associates Inc.
4. A revised site plan that includes proposed spot grades and contours in the flood hazard area locations of the proposed groundwater recharge system and planting area. The revised plan also includes specifications and elevations of the proposed chambers.

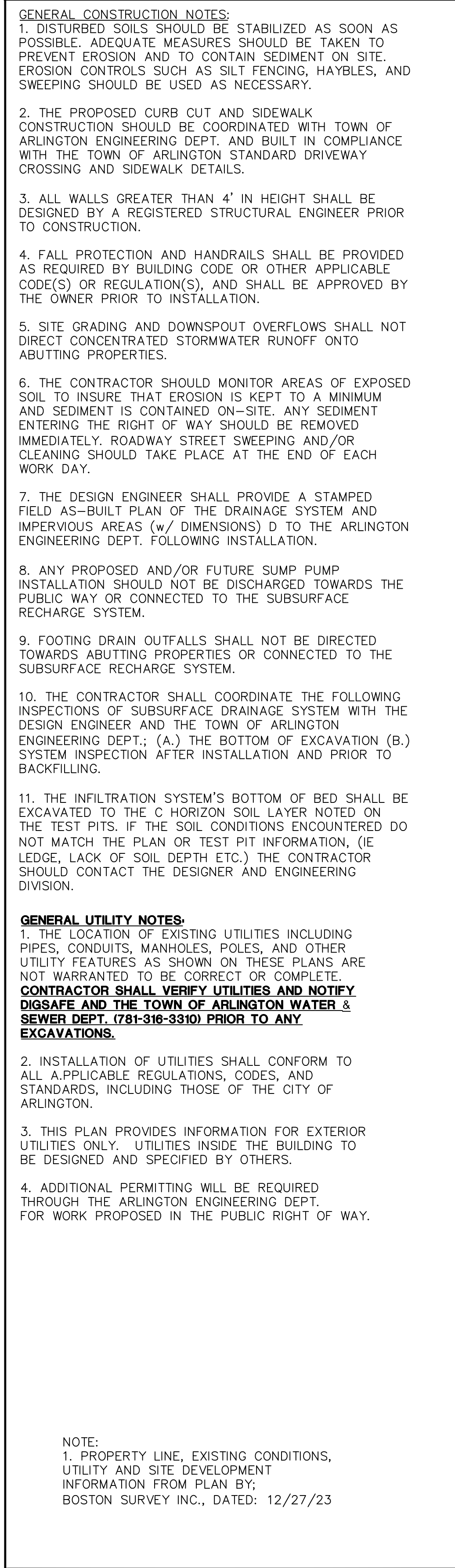
Should you have any questions please do not hesitate to contact me.

Regards,

John A. Barrows, P.E.

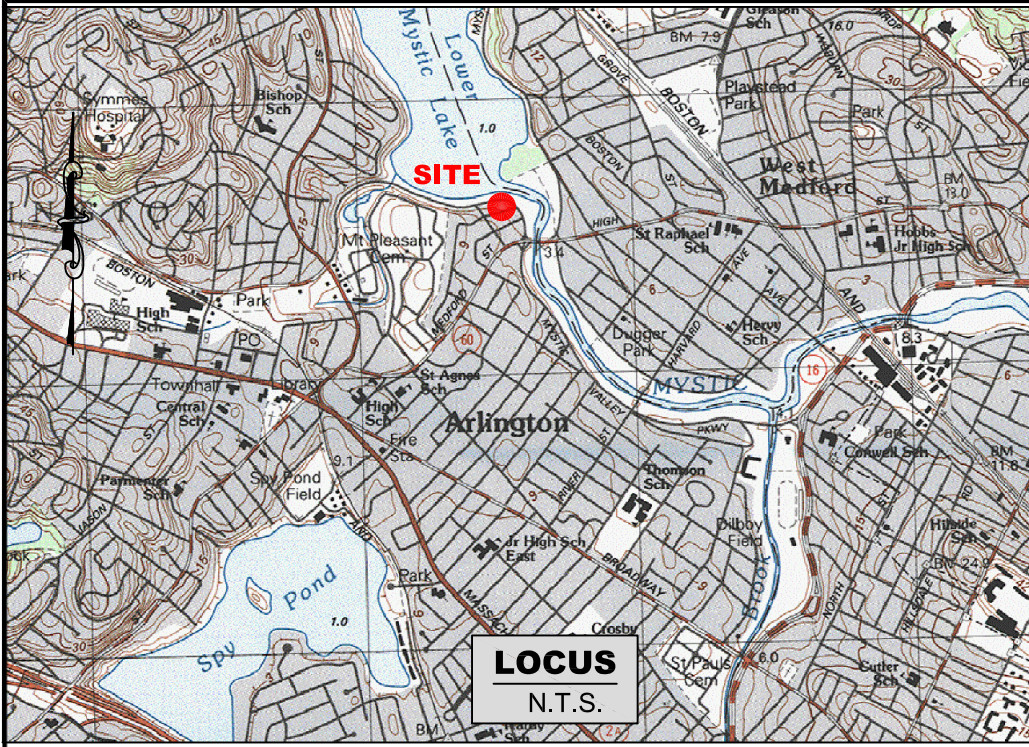
C.c. Bill Mahoney

90 Pine Street, Danvers, Massachusetts, 01923
978-204-2390
johnbarrows_pe@yahoo.com



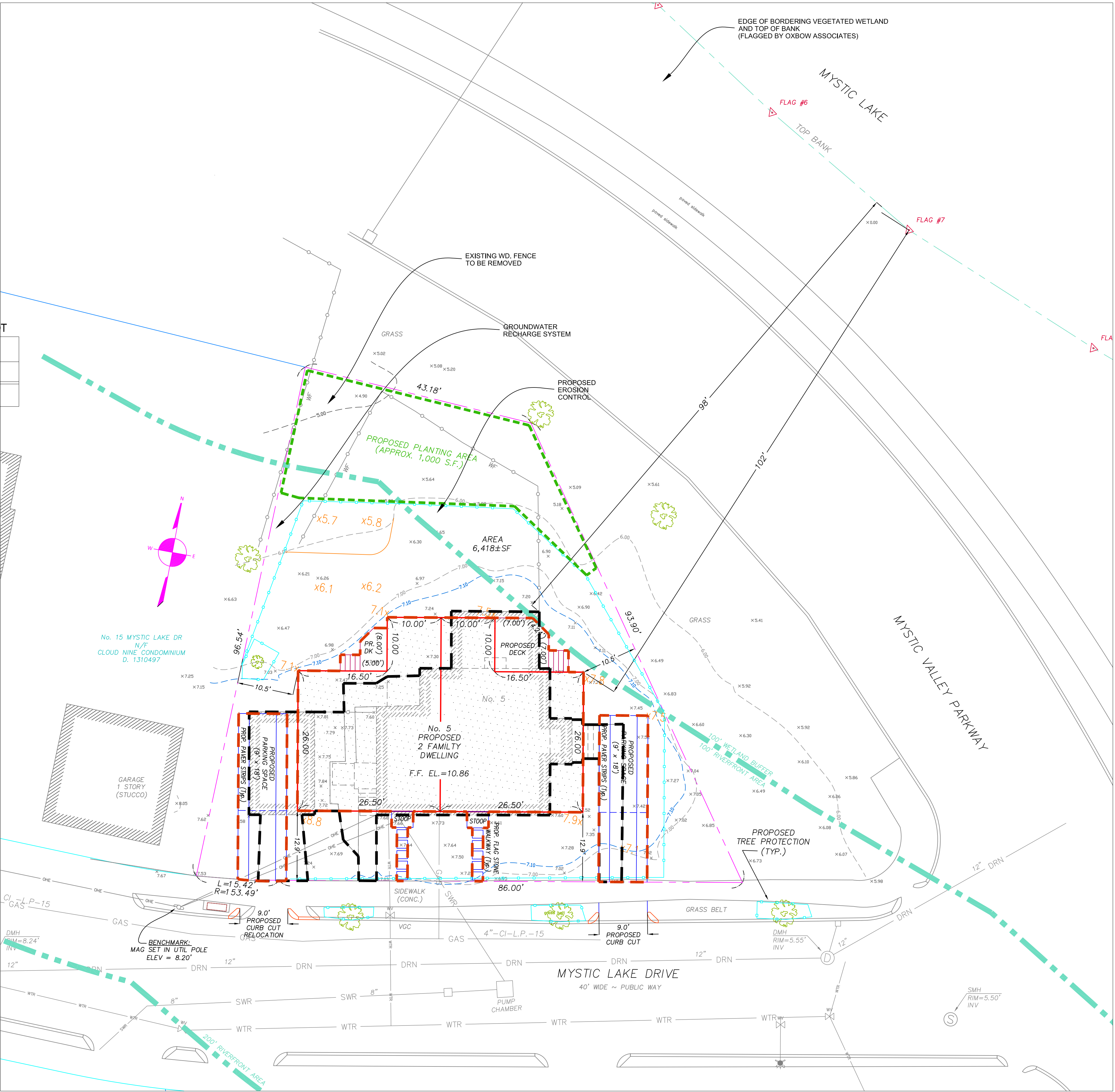
- | GENERAL ABBREVIATIONS | |
|------------------------------|---------|
| BITUMINOUS BERM | BB |
| BIT. CONC. SIDEWALK/WALKWAY | BSW/CSW |
| BORDERING VEGETATED WETLAND | BVW |
| BUFFER ZONE | BZ |
| GRANITE CURB INLET | CI |
| EDGE OF PAVEMENT | EP |
| NO BUILD ZONE | NB |
| VEGETATED BUFFER | VB |
| VERTICAL GRANITE CURB | VGC |
| EDGE OF PAVE | EOP |
| RIGHT OF WAY | ROW |

- [illegible]



RIVERFRONT AREA DEGRADATION TABLE

DESCRIPTION	AREA (S.F.)	PERCENTAGE OF LOT
EXISTING DEGRADED AREA	1,878 S.F.	29%
PROPOSED DEGRADED AREA	2,356 S.F.	37%
POST CONSTRUCTION DIFFERENCE	+479 S.F.	+8%



SITE PLAN
SCALE: 1"=10'

NOTE:
1. PROPERTY LINE, EXISTING CONDITIONS,
UTILITY AND SITE DEVELOPMENT
INFORMATION FROM PLAN BY;
BOSTON SURVEY INC., DATED: 12/27/23

- LEGEND
- HYDRANT
 - WATER GATE
 - WATER CURB STOP
 - SEWER MANHOLE/CLEANOUT
 - FLARED END SECTION
 - DRAIN MANHOLE
 - CATCH BASIN
 - UTILITY POLE
 - LIGHT POLE
 - GAS VALVE
 - GAS CURB STOP
 - SIGN
 - CHAIN LINK FENCE
 - WOOD OR VINYL FENCE
 - STONE WALL
 - EDGE OF BVW
 - EXIST. PRE-CONST. CONTOURS
 - SILT FENCE
 - TREES/SHRUBS
 - RIGHT OF WAY
 - EDGE OF PAVE

- GENERAL ABBREVIATIONS
- BITUMINOUS BERM
 - BT. CONC. SIDEWALK/WALKWAY
 - BORDERING VEGETATED WETLAND
 - BUFFER ZONE
 - GRANITE CURB INLET
 - EDGE OF PAVEMENT
 - NO BUILD ZONE
 - VEGETATED BUFFER
 - VERTICAL GRANITE CURB
 - EDGE OF PAVE
 - RIGHT OF WAY

- UTILITY ABBREVIATIONS
- MANHOLE
 - CATCH BASIN
 - DRAIN
 - SEWER
 - SEWER SERVICE
 - SEWER FORCE MAIN
 - WATER
 - WATER CURB STOP
 - WATER GATE
 - TELEPHONE/ELECTRIC/CABLE
 - OVERHEAD WIRE
 - UTILITY POLE
 - HEADWALL
 - FLARED END SECTION
 - HIGH DENSITY POLYETHYLENE PIPE
 - DUCTILE IRON PIPE
 - POLYVINYLCHLORIDE PIPE
 - REINFORCED CONCRETE PIPE
 - CAST IRON PIPE
 - CORRUGATED METAL PIPE
 - INVERT ELEVATION
 - RM ELEVATION
 - GAS CURB STOP
 - GAS VALVE

DEGRADED RIVERFRONT AREA

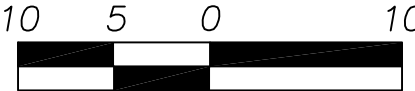
EXHIBIT

5 MYSTIC LAKE DRIVE
ARLINGTON, MASSACHUSETTS

DRAWN FOR
WILLIAM MAHONEY
ARLINGTON, MASSACHUSETTS

Salem Village Consulting, LLC

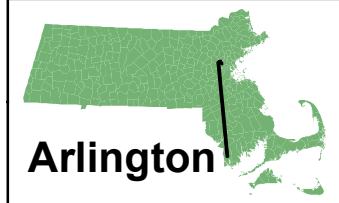
90 PINE STREET
DANVERS, MA 01923
(978)204-2390



DATE: APRIL 19, 2023

SCALE: 1"=10'

SHEET C-1

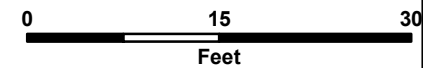









**5 Mystic Lake Dr.
Arlington, MA
Proposed Plantings**

April 26, 2023

1:180

1 inch = 15 feet



-  Planting Area
-  Property Parcel
- Proposed Species**
-  Arborvitae (*Thuja occidentalis*)
-  River Birch (*Betula nigra*)
-  Sweet gum (*Liquidambar styraciflua*)
-  Highbush blueberry (*Vaccinium corymbosum*)
-  Highbush cranberry (*Viburnum trilobum*)
-  Shadbush (*Amelanchier canadensis*)
-  Fence (To Be Removed)



Town of Arlington, Massachusetts

Notice of Intent: Upper Mystic Lake Aquatic Management

Summary:

Notice of Intent: Upper Mystic Lake Aquatic Management

This public hearing will consider a Notice of Intent to manage aquatic vegetation at Upper Mystic Lake in Land Under Water.

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Upper_Mystic_Lake_Aquatic_Treatment_Notice_of_Intent.pdf	Upper Mystic Lake Aquatic Treatment Notice of Intent

Notice of Intent Application
Upper Mystic Lake
Aquatic Management Program
Arlington, MA
May 4, 2023

Prepared by:
Suzanne Owayda, for the Parker Road Neighbors
15 Parker Road
Arlington, MA 02474
617-803-9804

TABLE OF CONTENTS

- NOI Application Form
 - WPA Form 8A – Request for Certificate of Compliance
 - Wetlands Protection Act Form 3
 - Appendix A: Ecological Restoration Limited Project Checklists
- NOI Wetland Fee Transmittal Form
- Attachment A – Notifications
 - Environmental Monitor
 - Affidavit of Service
 - Abutters Notice
 - Abutters List
 - Upper Mystic Lake Shoreline Participants
- Attachment B – Project Description
 1. Introduction
 2. Proposed Management Program
 - 2.1 Herbicide and Algaecide Applications
 - 2.2 Monitoring
 3. Alternatives to the Proposed Chemical Management Program
 4. Compliance
 5. Impacts of the Proposed Management Plan Specific to the Wetlands Protection Act

Alternatives to the Proposed Chemical Management Program

- Attachment C – Figures & Report
 - Figure 1 – Site Locus
 - Figure 2 – Program Location
 - Report – Water & Wetland, LLC, Year End Report, 2022
 - Report – Solitude, Year End Report, 2020



WPA Form 8A – Request for Certificate of Compliance

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by DEP

A. Project Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Suzanne Owayda

Name

15 Parker Road

Mailing Address

Arlington

MA

02474

City/Town

617-803-9804

State

Zip Code

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Peter Braun

Applicant

8/24/2016

91-277

Dated

DEP File Number

3. The project site is located at:

Upper Mystic Lake

Arlington

Street Address

42.d25m53.33s latitude

City/Town

Assessors Map/Plat Number

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Commonwealth of MA

Property Owner (if different)

Middlesex

53026

499

County

Book

Page

Certificate (if registered land)

5. This request is for certification that (check one):

☒ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

☐ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

☐ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

Provided by DEP

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☐ Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

☒ No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Upper Mystic Lake

a. Street Address

Arlington

b. City/Town

02474

c. Zip Code

Latitude and Longitude:

42.43445N

d. Latitude

71.15384W

e. Longitude

013/0008

f. Assessors Map/Plat Number

g. Parcel /Lot Number

2. Applicant:

Suzanne

a. First Name

Owayda

b. Last Name

c. Organization

15 Parker Road

d. Street Address

Arlington

e. City/Town

MA

f. State

02474

g. Zip Code

617-803-9804

h. Phone Number

i. Fax Number

suzowayda2011@gmail.com

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

Commonwealth of MA-DCR

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

a. First Name

b. Last Name

c. Company

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$500

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

A. General Information (continued)

6. General Project Description:

The applicant is seeking an OOC for an Aquatic Management Program at Upper Mystic Lake to continue the control of nuisance and non-native plant growth utilizing treatment with USEPA/MA State registered aquatic herbicides, algaeicides, and other BMP's (see Attachment B-Project Description)

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input checked="" type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☒ Yes ☐ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

a. County

b. Certificate # (if registered land)

c. Book

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	
4. <input type="checkbox"/> Restoration/Enhancement		
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.		
a. square feet of BVW _____	b. square feet of Salt Marsh _____	

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings _____

b. number of replacement stream crossings _____



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

C. Other Applicable Standards and Requirements

- ☒ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. ☐ Yes ☐ No

If yes, include proof of mailing or hand delivery of NOI to:

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

b. Date of map _____

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage _____

(b) outside Resource Area

percentage/acreage _____

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/ma-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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Provided by MassDEP:

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C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☐ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project? d. ☐ Yes ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. ☐ Yes ☐ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 a. ☐ Yes ☐ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 a. ☐ Yes ☐ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☐ No. Check why the project is exempt:
 1. ☐ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☒ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☐ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☐ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
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D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☐ List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☐ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

Upper Mystic Lake

a. Street Address

Arlington

b. City/Town

\$500

d. Fee amount

c. Check number

2. Applicant Mailing Address:

Suzanne

a. First Name

Owayda

b. Last Name

c. Organization

15 Parker Road

d. Mailing Address

Arlington

e. City/Town

MA

f. State

02474

g. Zip Code

617-803-9804

h. Phone Number

i. Fax Number

suzowayda2011@gmail.com

j. Email Address

3. Property Owner (if different):

State of MA - DCR

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat 2e - Inland Limited Project	1		\$500
Step 5/Total Project Fee:			\$500

Step 6/Fee Payments:

Total Project Fee:	<u>\$500</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$237.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	<u>\$262.50</u>
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Checklist

This Ecological Restoration Limited Project Eligibility Checklist guides the applicant in determining if their project is eligible to file as an Inland or Coastal Ecological Restoration Limited Project (310 CMR 10.53(4) or 310 CMR 10.24(8) respectively). These criteria must be met when submitting the Ecological Restoration Limited Project Notice of Intent to ensure that the restoration and improvement of the natural capacity of a Resource Area(s) to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

Regulatory Features of All Coastal and Inland Ecological Restoration Limited Projects

- (a) May result in the temporary or permanent loss of or conversion of Resource Area: An Ecological Restoration Limited Project that meets the requirements of 310 CMR 10.24(8) may result in the temporary or permanent loss of Resource Areas and/or the conversion of one Resource Area to another when such loss is necessary to the achievement of the project's ecological restoration goals.
- (b) Exemption from wildlife habitat evaluation: A NOI for an Ecological Restoration Limited Project that meets the minimum requirements for Ecological Restoration Projects and for a MassDEP Combined Application outlined in 310 CMR 10.12(1) and (2) is exempt from providing a wildlife habitat evaluation (310 CMR 10.60).
- (c) The following are considerations for applicants filing an Ecological Restoration Limited Project NOI and for the issuing authority approving a project as an Ecological Restoration Limited Project:
- ☒ The condition of existing and historic Resource Areas proposed for restoration.
 - ☒ Evidence of the extent and severity of the impairment(s) that reduce the capacity of the Resource Areas to protect and sustain the interests identified in M.G.L. c. 131, § 40.
 - ☒ The magnitude and significance of the benefits of the Ecological Restoration Project in improving the capacity of the affected Resource Areas to protect and sustain the other interests identified in M.G.L. c. 131, § 40.
 - ☒ The magnitude and significance of the impacts of the Ecological Restoration Project on existing Resource Areas that may be modified, converted and/or lost and the interests for which said Resource Areas are presumed significant in 310 CMR 10.00, and the extent to which the project will:
 - a. avoid adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that can be avoided without impeding the achievement of the project's ecological restoration goals.
 - b. minimize adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that are necessary to the achievement of the project's ecological restoration goals.
 - c. utilize best management practices such as erosion and siltation controls and proper construction sequencing to avoid and minimize adverse construction impacts to resource areas and the interests identified in M.G.L. c. 131, § 40.



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Appendix A: Ecological Restoration Limited Project Checklists

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Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8))

Complete this Eligibility Criteria Checklist **before** filling out a Notice of Intent Application to determine if your project qualifies as a Coastal Ecological Restoration Limited Project. (310 CMR 10.24(8)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects

Notwithstanding the requirements of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and the Wildlife Habitat evaluations in 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.24(8)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in the WPA M.G.L. provided that the project meets all the requirements in 310 CMR 10.24(8).

- ☐ The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.24(8)(e)].
- ☐ Tidal Restoration.
- ☐ Shellfish Habitat Restoration.
- ☐ Other Ecological Restoration Limited Project Type.
- ☐ The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
 - ☐ Protection of public or private water supply.
 - ☐ Protection of ground water supply.
 - ☐ Flood control.
 - ☐ Storm damage prevention.
 - ☐ Prevention of pollution.
 - ☐ Protection of land containing shellfish.
 - ☐ Protection of fisheries.
 - ☐ Protection of wildlife habitat.
- ☐ If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will not have any adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.



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Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects (cont.)

- ☐ If the project is located in a Coastal Dune or Barrier Beach, the project avoids and minimizes armoring of the Coastal Dune or Barrier Beach to the maximum extent practicable.
- ☐ The project complies with all applicable provisions of 310 CMR 10.24(1) through (6) and 310 CMR 10.24(9) and (10).

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

- ☐ This Ecological Restoration Limited Project application meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.24(8)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below.

☐ Tidal Restoration Projects

- ☐ A project to restore tidal flow that will not significantly increase flooding or storm damage impacts to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.

☐ Shellfish Habitat Restoration Projects

- ☐ The project has received a Special Projects Permit from the Division of Marine Fisheries or, if a municipality, has received a shellfish propagation permit.
- ☐ The project is made of cultch (e.g., shellfish shells from oyster, surf or ocean clam) or is a structure manufactured specifically for shellfish enhancement (e.g., reef blocks, reef balls, racks, floats, rafts, suspended gear).

☐ Other Ecological Restoration Projects that meet the criteria set forth in 310 CMR 10.24(8)(a) through (d).

- ☐ Restoration, enhancement, or management of Rare Species habitat.
- ☐ Restoration of hydrologic and habitat connectivity.
- ☐ Removal of aquatic nuisance vegetation to impede eutrophication.
- ☐ Thinning or planting of vegetation to improve habitat value.
- ☐ Fill removal and re-grading.
- ☐ Riparian corridor re-naturalization.
- ☐ River floodplain re-connection.



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- ☐ In-stream habitat enhancement.
- ☐ Remediation of historic tidal wetland ditching.
- ☐ Eelgrass restoration.
- ☐ Invasive species management.
- ☐ Installation of fish passage structures.
- ☐ Other. Describe: _____
- ☐ This project involves the construction, repair, replacement or expansion of public or private infrastructure (310 CMR 10.24(9)).
 - ☐ The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
 - ☐ The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
- ☐ This project proposes to replace an existing stream crossing (310 CMR 10.24(10)). The crossing complies with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI. The crossing type:
 - ☐ Replaces an existing non-tidal crossing that is part of an Anadromous/Catadromous Fish Run (310 CMR 10.35)
 - ☐ Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.
- ☐ At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been considered site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
 - ☐ The potential for downstream flooding;
 - ☐ Upstream and downstream habitat (in-stream habitat, wetlands);
 - ☐ Potential for erosion and head-cutting;
 - ☐ Stream stability;
 - ☐ Habitat fragmentation caused by the crossing;
 - ☐ The amount of stream mileage made accessible by the improvements;
 - ☐ Storm flow conveyance;



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Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- ☐ Engineering design constraints specific to the crossing;
- ☐ Hydrologic constraints specific to the crossing;
- ☐ Impacts to wetlands that would occur by improving the crossing;
- ☐ Potential to affect property and infrastructure; and
- ☐ Cost of replacement.

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4))

Complete this Eligibility Criteria Checklist **before** filling out a Notice of Intent Application to determine if your project qualifies as an Inland Ecological Restoration Limited Project. (310 CMR 10.53(4)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

Notwithstanding the requirements of any other provision of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.53(4)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in M.G.L. c. 131, § 40, provided that:

- ☒ The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.53(4)(e)].
 - ☐ Dam Removal
 - ☐ Freshwater Stream Crossing Repair and Replacement
 - ☐ Stream Daylighting
 - ☐ Tidal Restoration
 - ☐ Rare Species Habitat Restoration
 - ☐ Restoring Fish Passageways
 - ☒ Other (describe project type): Aquatic Plant Management



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Appendix A: Ecological Restoration Limited Project Checklists

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Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

- ☒ The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
 - ☐ Protection of public or private water supply
 - ☐ Protection of ground water supply
 - ☐ Flood control
 - ☐ Storm damage prevention
 - ☐ Prevention of pollution
 - ☐ Protection of land containing shellfish
 - ☒ Protection of fisheries
 - ☒ Protection of wildlife habitat
- ☐ If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will have no adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.
- ☐ The project will be carried out in accordance with any time of year restrictions or other conditions recommended by the Division of Marine Fisheries for coastal waters and the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3).
- ☐ If the project involves the dredging of 100 cubic yards of sediment or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification has been applied for or obtained.
- ☒ The project complies with all applicable provisions of 310 CMR 10.53(1), (2), (7), and (8).



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

Additional Eligibility Criteria for Specific Inland Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

- ☒ This project application meets the eligibility criteria for Ecological Restoration Limited Project in accordance with [310 CMR 10.53(4)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below:

☐ **Dam Removal**

- ☐ Project is consistent with MassDEP's 2007 Dam Removal Guidance.

☐ **Freshwater Stream Crossing Repair and Replacement.** The project as proposed and the NOI describes how:

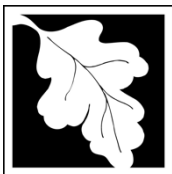
- ☐ Meeting the eligibility criteria set forth in 310 CMR 10.13 would result in significant stream instability or flooding hazard that cannot otherwise be mitigated, and site constraints make it impossible to meet said criteria.
- ☐ The project design ensures that the stability of the bank is NOT impaired.
- ☐ To the maximum extent practicable, the project provides for the restoration of the stream upstream and downstream of the structure as needed to restore stream continuity and eliminate barriers to aquatic organism movement.
- ☐ The project complies with the requirements of 310 CMR 10.53(7) and (8).

☐ **Stream Daylighting Projects**

- ☐ The project meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.53(4)(a) through (d)] and as proposed the NOI describes how the proposed project meets to the maximum extent practicable, consistent with the project's ecological restoration goals, all the performance standards for Bank and Land Under Water Bodies and Waterways.
- ☐ The project meets the requirements of 310 CMR 10.12(1) and (2) and a wildlife habitat evaluation is not included in the NOI.

☐ **Tidal Restoration Project**

- ☐ Restores tidal flow.
- ☐ the project, including any proposed flood mitigation measures, will not significantly increase flooding or storm damage to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

- ☒ **Other Ecological Restoration Projects** that meet the criteria set forth in 310 CMR 10.53 (4) (a) through (d).
 - ☐ Restoration, enhancement, or management of Rare Species habitat.
 - ☐ Restoration of hydrologic and habitat connectivity.
 - ☒ Removal of aquatic nuisance vegetation to impede eutrophication.
 - ☒ Thinning or planting of vegetation to improve habitat value.
 - ☐ Riparian corridor re-naturalization.
 - ☐ River floodplain re-connection.
 - ☐ In-stream habitat enhancement.
 - ☐ Fill removal and re-grading.
 - ☐ Flow restoration.
 - ☐ Installation of fish passage structures.
 - ☒ Invasive species management.
 - ☐ Other. Describe: _____
- ☐ This project involves the construction, repair, replacement or expansion of public or private infrastructure. (310 CMR 10.53(7))
 - ☐ The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
 - ☐ The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
- ☐ This project replaces an existing stream crossing (310 CMR 10.53(8)). The crossing type:
 - ☐ Replaces an existing non-tidal crossing designed to comply with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI.
 - ☐ Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

- ☐ At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been consider site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
 - ☐ The potential for downstream flooding;
 - ☐ Upstream and downstream habitat (in-stream habitat, wetlands);
 - ☐ Potential for erosion and head-cutting;
 - ☐ Stream stability;
 - ☐ Habitat fragmentation caused by the crossing;
 - ☐ The amount of stream mileage made accessible by the improvements;
 - ☐ Storm flow conveyance;
 - ☐ Engineering design constraints specific to the crossing;
 - ☐ Hydrologic constraints specific to the crossing;
 - ☐ Impacts to wetlands that would occur by improving the crossing;
 - ☐ Potential to affect property and infrastructure; and
 - ☐ Cost of replacement.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11)

Complete the Required Actions before submitting a Notice of Intent Application for an Ecological Restoration Project and submit a completed copy of this Checklist with the Notice of Intent.

- ☒ **Massachusetts Environmental Policy Act (MEPA) / Environmental Monitor**
<https://www.mass.gov/service-details/the-environmental-monitor>

For Ecological Restoration Limited Projects, there are no changes to MEPA requirements.

- ☒ Submit written notification at least 14 days prior to the filing of a Notice of Intent (NOI) to the Environmental Monitor for publication. A copy of the written notification is attached and provides at minimum:
- ☒ A brief description of the proposed project.
 - ☒ The anticipated NOI submission date to the conservation commission.
 - ☒ The name and address of the conservation commission that will review the NOI.
 - ☒ Specific details as to where copies of the NOI may be examined or acquired and where to obtain the date, time, and location of the public hearing.

☐ **Massachusetts Endangered Species Act (MESA) /Wetlands Protection Act Review**

- ☐ Preliminary Massachusetts Endangered Species Act Review from the Natural Heritage and Endangered Species Program (NHESP) has been met and the written determination is attached.

- ☐ Supplemental Information for Endangered Species Review has been submitted.

1. ☐ Percentage/acreage of property to be altered:

a. Within Wetland Resource Area

Percentage/acreage

b. Outside Wetland Resource Area

Percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

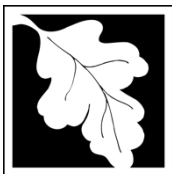
3. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work.

4. ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

5. ☐ Photographs representative of the site

6. ☐ MESA filing fee (fee information available at

<https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>)



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

Make check payable to “Commonwealth of Massachusetts - NHESP” and mail to NHESP:

Natural Heritage & Endangered Species Program

MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

7. Projects altering 10 or more acres of land, also submit:

- a. ☐ Vegetation cover type map of site
- b. ☐ Project plans showing Priority & Estimated Habitat boundaries

OR Check One of the Following:

- 1. ☐ Project is exempt from MESA review.

Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/ma-endangered-species-act-mesa-overview>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59 – see C4 below)

- 2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

- 3. ☐ Separate MESA review completed. Include copy of NHESP “no Take” determination or valid Conservation & Management Permit with approved plan.

☐ **Estimated Habitat Map of State-Listed Rare Wetlands Wildlife**

If a portion of the proposed project is located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP), complete the portion below. To view habitat maps, see the **Massachusetts Natural Heritage Atlas** or view the maps electronically at: <https://www.mass.gov/guides/masswildlife-publications#-massachusetts-natural-heritage-atlas->

- ☐ A preliminary written determination from Natural Heritage and Endangered Species Program (NHESP) must be obtained indicating that:
 - ☐ Project will NOT have long- or short-term adverse effect on the actual Resource Area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP.
 - ☐ Project will have long- or short-term adverse effect on the actual Resource Area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP. A copy of NHESP’s written preliminary determination in accordance with 310 CMR 10.11(2) is attached. This specifies:

☐ Date of the map: _____



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

- ☐ If the Rare Species identified is/are likely to continue to be located on or near the project, and if so, whether the Resource Area to be altered is in fact part of the habitat of the Rare Species.
- ☐ That if the project alters Resource Area(s) within the habitat of a Rare Species:
- ☐ The Rare Species is identified;
- ☐ NHESP's recommended changes or conditions necessary to ensure that the project will have no short or long term adverse effect on the habitat of the local population of the Rare Species is provided; or
- ☐ An approved NHESP habitat management plan is attached with this Notice of Intent.

Send the request for a preliminary determination to:
Natural Heritage & Endangered Species Program
MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

☐ Division of Marine Fisheries

- ☐ If the project will occur within a coastal waterbody with a restricted Time of Year, [see Appendix B of the Division of Marine Fisheries (DMF) Technical Report TR 47 "Marine Fisheries Time of Year Restrictions (TOYs) for Coastal Alteration Projects" dated April 2011 <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/MA/TR-47.pdf>].
- ☐ Obtain a DMF written determination stating:
 - ☐ The proposed work does NOT require a TOY restriction.
 - ☐ The proposed work requires a TOY restriction. Specific recommended TOY restriction and recommended conditions on the proposed work is attached.
- ☐ If the project may affect a diadromous fish run [re: Division of Marine Fisheries (DMF) Technical Reports TR 15 through 18, dated 2004: <https://www.mass.gov/service-details/marine-fisheries-technical-reports>]
- ☐ Obtain a DMF written determination stating:
 - ☐ The design specifications and operational plan for the project are compatible with the passage requirements of the fish run.
 - ☐ The design specifications and operational plan for the project are not compatible with the passage requirements of the fish run.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

Send the request for a written or electronic determination to:

South Shore – Cohasset to Rhode Island border,
and the Cape & Islands:

Division of Marine Fisheries –

South Coast Field Station

Attn: Environmental Reviewer

836 South Rodney French Blvd.

New Bedford, MA 02744

Email: DMF.EnvReview-South@state.ma.us

North Shore – Hull to New Hampshire border:

Division of Marine Fisheries –

North Shore Field Station

Attn: Environmental Reviewer

30 Emerson Avenue

Gloucester, MA 01930

Email: DMF.EnvReview-North@state.ma.us

☐ **Division of Fisheries and Wildlife** – <https://www.mass.gov/orgs/division-of-fisheries-and-wildlife>

☐ Projects that involve silt-generating, in-water work that will impact a non-tidal perennial river or stream and the in-water work will not occur between May 1 and August 30.

☐ Obtain a written determination from the Division of Fisheries and Wildlife (DFW) as to whether the proposed work requires a TOY restriction.

☐ The proposed work does NOT require a TOY restriction.

☐ The proposed work requires a TOY restriction. The DFW determination with TOY restriction and other conditions is attached.

☐ **MassDEP Water Quality Certification**

☐ Project involves dredging of 100 cubic yards or more in a Resource Area or dredging of any amount in an Outstanding Resource Water (ORW). A copy and proof of the MassDEP Water Quality Certification pursuant to 314 CMR 9.00 is attached to the NOI.

☐ This project is a Combined Permit Application for 401 Dredging and Restoration (BRP WW 26).

☐ **MassDEP Wetlands Restriction Order**

Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

☐ Yes ☐ No

☐ **Department of Conservation and Recreation**

Office of Dam Safety

☐ For Dam Removal Projects, obtain a written determination from the Department of Conservation and Recreation Office of Dam Safety that the dam is not subject to the jurisdiction of the Office under 302 CMR 10.00, a written determination that the dam removal does not require a permit under 302 CMR 10.00 or a permit authorizing the dam removal in accordance with 302 CMR 10.00 has been issued.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

City/Town

Required Actions (310 CMR 10.11) (cont.)

Areas of Critical Environmental Concern (ACECs)

Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

☐ Yes

☒ No

If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations).

Name of ACEC

Minimum Required Documents (310 CMR 10.12)

Complete the Required Documents Checklist below and provide supporting materials before submitting a Notice of Intent Application for an Ecological Restoration Project.

- ☒ This Notice of Intent meets all applicable requirements outlined in for Ecological Restoration Projects in 310 CMR 10.12. Use the checklist below to ensure that all documentation is included with the NOI.

At a minimum, a Notice of Intent for an Ecological Restoration Project shall include the following:

- ☒ Description of the project's ecological restoration goals;
- ☒ The location of the Ecological Restoration Project;
- ☐ Description of the construction sequence for completing the project;
- ☒ A map of the Areas Subject to Protection Under M.G.L. c. 131, § 40, that will be temporarily or permanently altered by the project or include habitat for Rare Species, Habitat of Potential Regional and Statewide Importance, eel grass beds, or Shellfish Suitability Areas.
- ☒ The method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.) is attached with documentation methodology.
- ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Project description and supporting figures

a. Plan Title

Suzanne Owayda

b. Prepared by

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

- ☐ If there is more than one property owner, attach a list of these property owners not listed on this form.

- ☒ Attach NOI Wetland Fee Transmittal Form.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Minimum Required Documents (310 CMR 10.12)

- ☐ An evaluation of any flood impacts that may affect the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure as well as any proposed flood impact mitigation measures;
- ☒ A plan for invasive species prevention and control;
- ☐ The Natural Heritage and Endangered Species Program written determination in accordance with 310 CMR 10.11(2), if needed;
- ☐ Any Time of Year restrictions and/or other conditions recommended by the Division of Marine Fisheries or the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3), (4), (5), if needed;
- ☒ Proof that notice was published in the Environmental Monitor as required by 310 CMR 10.11(1);
- ☒ A certification by the applicant under the penalties of perjury that the project meets the eligibility criteria set forth in 310 CMR 10.13;
- ☐ If the Ecological Restoration Project involves the construction, repair, replacement or expansion of infrastructure, an operation and maintenance plan to ensure that the infrastructure will continue to function as designed;
- ☐ If the project involves dredging of 100 cubic yards or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification issued by the Department pursuant to 314 CMR 9.00;
- ☐ If the Ecological Restoration Project involves work on a stream crossing, information sufficient to make the showing required by 310 CMR 10.24(10) for work in a coastal resource area and 310 CMR 10.53(8) for work in an inland resource area; and
- ☐ If the Ecological Restoration Project involves work on a stream crossing, baseline photo-points that capture longitudinal views of the crossing inlet, the crossing outlet and the upstream and downstream channel beds during low flow conditions. The latitude and longitude coordinates of the photo-points shall be included in the baseline data.
- ☐ This project is subject to provisions of the MassDEP Stormwater Management Standards. A copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) is attached.
- ☐ Provide information as to whether the project has the potential to impact private water supply wells including agricultural or aquacultural wells or surface water withdrawal points.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

Certification that the Ecological Restoration Project Meets the Eligibility Criteria

I hereby certify under penalties of perjury that the Ecological Restoration Project Notice of Intent application does not meet the Eligibility criteria for an Ecological Restoration Order of Conditions set forth in 310 CMR 10.13, but does meet the Eligibility Criteria for a Ecological Restoration Limited Project set forth in 10.24(8) or 10.53(4) whichever is applicable. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

Signature of Applicant or Authorized Agent

Printed Name of Applicant or Authorized Agent

Date

The certification must be signed by the applicant; however, it may be signed by a duly authorized agent (named in Item 2) if this form is accompanied by a statement by the applicant designating the agent and agreeing to furnish upon request, supplemental information in support of the application.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

Upper Mystic Lake

a. Street Address

Arlington

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

Suzanne

a. First Name

Owayda

b. Last Name

c. Organization

15 Parker Road

d. Mailing Address

Arlington

e. City/Town

MA

f. State

02474

g. Zip Code

617-803-9804

h. Phone Number

i. Fax Number

suzowayda2011@gmail.com

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

Commonwealth of MA -DCR

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat 2e - Inland Limited Project	1		\$500
Step 5/Total Project Fee:			\$500

Step 6/Fee Payments:

Total Project Fee:	\$237.50
	a. Total Fee from Step 5
State share of filing Fee:	\$262.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

ATTACHMENT A

Notifications

To: The Environmental Monitor

From: Suzanne Owayda

Date: March 15, 2023

Re: Notification of filing an NOI for Upper Mystic Lake, Arlington, MA

Anticipated date of submission: April 1, 2023 (May 4 hearing)

The proposed project is seeking approval to continue an Aquatic Management Program at Upper Mystic Lake in Arlington, MA. USEPA/State registered herbicides and/or algaecides will be applied to manage non-native and nuisance aquatic vegetation and algae to protect the interests of the Wetlands Protection Act by impeding eutrophication and improving habitat value.

Reviewing Conservation Commission(s):

Arlington
Conservation
Commission
730
Massachusetts
Avenue
Arlington, MA 02476

Copies of the NOI may be examined or acquired from the Conservation Commission, or by contacting the applicant, Suzanne Owayda at suzowayda2011@gmail.com, or 617-803-9804 Monday through Friday between 9AM and 4PM.

See Conservation Commission website for the meeting schedule for exact dates and agendas.

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act, I Suzanne Owayda, hereby certify under the pains and penalty of perjury that on April 10, 2023, I mailed a Notification to Abutters in compliance with the second paragraph of the Massachusetts General Laws, Chapter 131, s,40 and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:...

A Notice of Intent was filed under the Massachusetts Wetlands Protection Act by Suzanne Owayda with the Arlington Conservation Commission on April 7, 2023 for an Aquatic Management Program at Upper Mystic Lake in Arlington, MA

This form of the notification, and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service,

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act
And Arlington Wetlands Protection Bylaw**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a public hearing in the second floor conference room of the Town Hall Annex, 730 Massachusetts Avenue, Arlington, on Thursday, May 4, 2023, at or after 7 pm in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended) and the Town of Arlington By-Laws Article 8, By-Law for Wetland Protection, for a Notice of Intent for an Aquatic Management Program to control nuisance and non-native plant and algae growth at Upper Mystic Lake, within 100 feet of a wetland.

A copy of the application and accompanying plans are available for inspection Mon. - Fri. 9 am-Noon at the Conservation Commission office, first floor of the Town Hall Annex, 730 Massachusetts Avenue and by contacting the applicant Suzanne Owayda, 617-803-9804.

For more information, call the Arlington Conservation Commission at (781) 316-3012, or Suzanne Owayda 617-803-9804, or DEP Northeast Regional Office, (978) 694-3200.

NOTE: Notice of the Public Hearing will be published at least five (5) days in advance in Wicked Local/Arlington and be posted not less than 48 hours in advance in the Arlington Town Hall.



Office of the
Board of Assessors
Robbins Memorial Town Hall
Arlington, MA 02476
(781) 316-3050
Assessors@town.arlington.ma.us

Abutters List

Date: March 16, 2023

Subject Property Description: shoreline of Upper Mystic Lake from Window on the Mystic to Medford Boat Club Arlington, MA

Search Distance: 100 Feet
Conservation

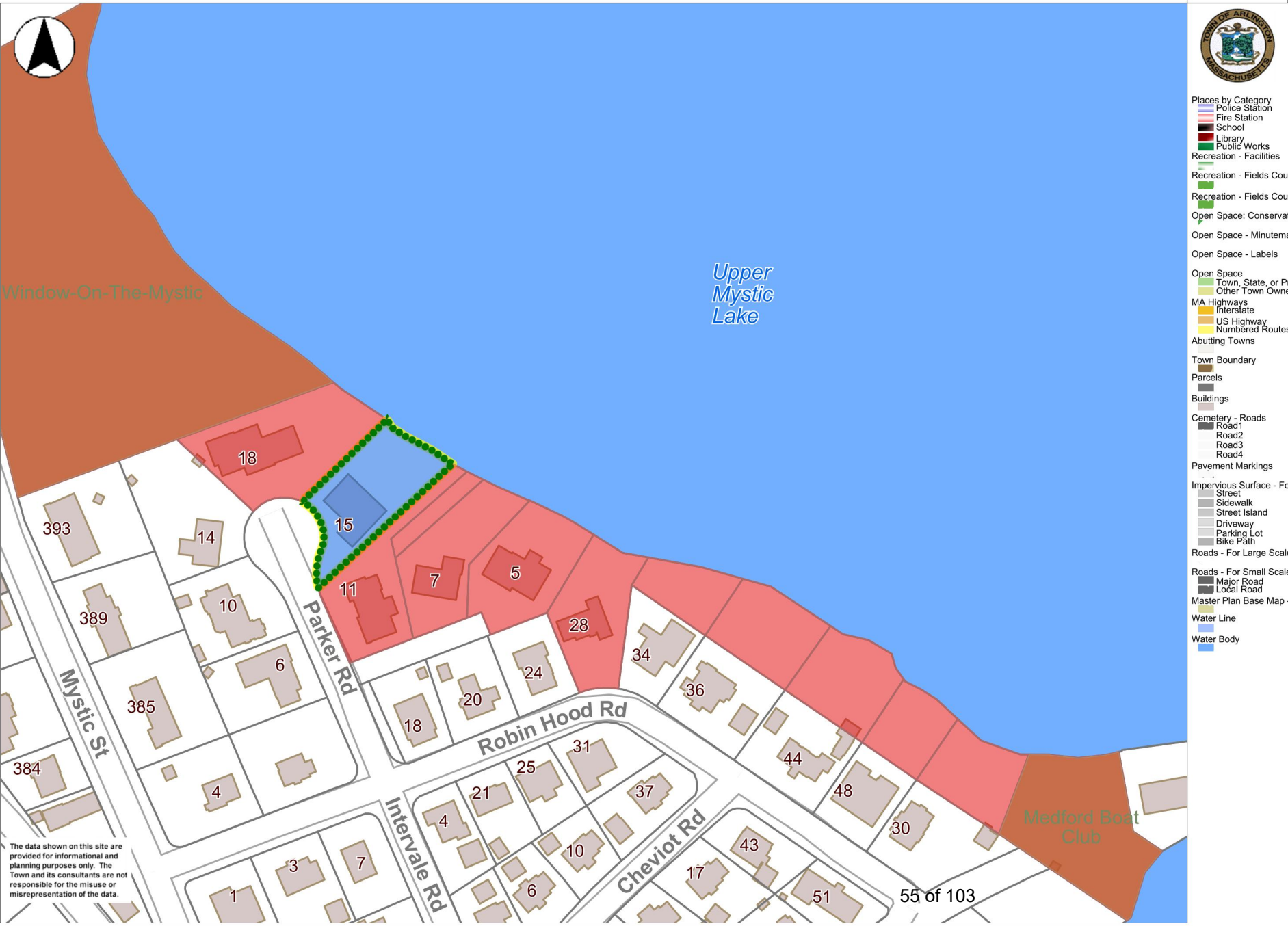
The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters within 100 feet of the shoreline of described area.

BOARD OF ASSESSORS
TOWN HALL
ARLINGTON, MA 02476

Board of Assessors

ABUTTERS LIST**Date: March 16, 2023****Subject Property Location: Shoreline of Upper Mystic Lake from Window on The Mystic to Medford Boat Club****Search Distance: 100 Feet****Conservation**

Parcel ID	Property Location	Owner 1	Owner 2	Mailing Address	City/Town	State	Zip
75-2-5.A	28 ROBIN HOOD RD	HARRINGTON DEAN E--ETAL	HARRINGTON TERESA M	28 ROBINHOOD RD	ARLINGTON	MA	02474
75-2-12	0-LOT LAKE SHORE DR	MEDFORD BOAT CLUB INC		P.O. BOX 560006	MEDFORD	MA	02156
75-2-13	0-LOT ROBIN HOOD RD	NYBERG JONATHAN	DOLAN SARA Q/DAVID D	PO BOX 292	ARLINGTON	MA	02476
75-2-14	0-LOT ROBIN HOOD RD	TULI JAY & BINDI / TRUSTEES	JAY TULI FAMILY TRUST	48 ROBIN HOOD RD	ARLINGTON	MA	02474
75-2-15	0-LOT ROBIN HOOD RD	LACROIX RICHARD L J & ELLEN	TRS/ LACROIX FAMILY IRREVOCABL	44 ROBIN HOOD ROAD	ARLINGTON	MA	02474
75-2-16	0-LOT ROBIN HOOD RD	PARL GAIL D GRUNBERG--ETAL	PARL STEEN A	36 ROBINHOOD ROAD	ARLINGTON	MA	02474
75-2-17	0-LOT ROBIN HOOD RD	THOMPSON MICHAEL G	THOMPSON THERESA M	34 ROBIN HOOD RD	ARLINGTON	MA	02474
75-2-19	5 PARKER RD	MATHAI TERESA	VERGHESE SIMON	22395 DIERICX CT	MOUNTAIN VIEW	CA	94040-3928
75-2-20	7 PARKER RD	GORDON MARTIN S & ALICE		7 PARKER ROAD	ARLINGTON	MA	02474
75-2-21	11 PARKER RD	BRAUN PETER & LINDA A		11 PARKER RD	ARLINGTON	MA	02474
75-2-23	0-LOT PARKER RD	BRAUN PETER & LINDA A		11 PARKER RD	ARLINGTON	MA	02474
77-2-1.A	0-LOT MYSTIC ST	TOWN OF ARLINGTON CON COM		730 MASS AVE	ARLINGTON	MA	02476
77-2-7	18 PARKER RD	TURNER DOUGLAS R & HOPE A /TRS	DOUGLAS R TURNER REVOCABLE TR&	18 PARKER RD	ARLINGTON	MA	02474
77-2-8	15 PARKER RD	OWAYDA SLEIMAN & SUZANNE	TRUSTEES/OWAYDA REALTY TRUST	15 PARKER RD	ARLINGTON	MA	02474



Parker Road Neighborhood Group
and Shoreline Treatment Participants

Hope and Doug Turner
18 Parker Road
Arlington, MA 02474

Solomon and Suzanne Owayda
15 Parker Road
Arlington, MA 02474

Peter and Linda Braun
11 Parker Road
Arlington, MA 02474

Martin and Alice Gordon
7 Parker Road
Arlington, MA 02474

Simon Vergese and Teresa Mathai
5 Parker Road
Arlington, MA 02474

Nick and Michelle VanNiel
5 Parker Road
Arlington, MA 02474

Teresa Harrington
28 Robin Hood Rd
Arlington, MA 02474

Michael Thompson and Teresa
McNally
34 Robin Hood Road
Arlington, MA 02474

Richard and Ellen Lacroix
44 Robin Hood Rd
Arlington, MA 02474

Alex and Tanja Lacroix
44 Robin Hood Rd
Arlington, MA 02474

Jonathan Nyberg
30 Lake Shore Dr
Arlington, MA 02474

Gail Grunberg, Steen Parl
36 Robin Hood Rd
Arlington, MA 02474

Jay and Bindi Tuli
48 Robin Hood Rd
Arlington, MA 02474

ATTACHMENT B

Project Description

1.0 INTRODUCTION

Upper Mystic Lake, located in the Towns of Winchester, Medford, and Arlington, is approximately 167 acres with an average depth of 28 feet (Figure 1). The lake is divided into three basins with the main, lower basin accounting for 102 of the 167 acres, but more than 90% of the lake volume. Water enters the lake via the Aberjona River located on the eastern side of the upper-most basin, and water exits at the south end of the main basin into the Lower Mystic Lake.

There is a wide variety of vegetation within the littoral zone of the lake. The most common species are white and yellow waterlilies (*Nymphaea* & *Nuphar*), Richardson's or clasping leaf pondweed (*Potamogeton richardsonii* or *P. perfoliatus*), large-leaf pondweed (*P. amplifolius*), coontail (*Ceratophyllum demersum*), waterweed (*Elodea*), and non-native curly-leaf pondweed (*P. crispus*).

Plant management was initiated in the Arlington portion of the main basin of the lake in 1997 by a group of private residents (Please see the Parker Road Neighborhood Group in Attachment A). After many years of trying non-chemical techniques, these residents chose to move forward with a chemical treatment program to control nuisance plant growth in their recreational, frontage area. After receiving the Commission's approval that year, the residents have conducted a largely successful treatment program, annually, for control of submersed and floating leaf growth in their ~2.8-acre recreational area.

The Parker Road Neighborhood Group, requests the Commission's approval to continue with the successful management program that has been on-going since 1997. The proposed program is the same as that previously approved by the Commission (Orders of Condition 91-277); an integrated, multiple year aquatic management program is proposed to control the nuisance and invasive vegetation and nuisance algae growth. Plants and algae are essential to lake ecosystems, but an over-abundance or presence of nuisance species can negatively impact fish and wildlife habitat. The proposed program seeks to control invasive curly-leaf pondweed and the "canopy forming" native pondweed and waterweed throughout this small area of the lake. Our neighborhood group has hired Water & Wetland, LLC to manage this program. Currently Water & Wetland, LLC manages water bodies in Arlington, specifically Hills Pond at Menotomy Rocks Park and at Spy Pond. Please see Water & Wetland, LLC year-end report in Attachment D.

The proposed treatment area is approximately 600-feet in length by 200-feet out from shore, or 2.8 acres (Figure 2). This accounts for roughly 2% of the total area of the lower basin. The treatment area will be surveyed each spring, to determine management requirements. Chemical treatments will be performed only when necessary.

Management Approach

The objective of this project is to control invasive species, while enhancing native species diversity by allowing the area to be re-colonized by native species. Controlling invasive species and selective thinning of native plants will improve aquatic-dependent wildlife habitat and will not negatively impact other interests of the Massachusetts Wetlands Protection Act. No significant alteration to wetland resources areas will occur as a result of the proposed management

program; instead the resource areas will be enhanced by controlling the invasive species growth.

The proposed management activities are consistent with the guidelines in the following documents:

- ***Final Generic Environmental Impact Report: Eutrophication and Aquatic Plant Management in Massachusetts*** (June 2004)
- ***Guidance for Aquatic Plant Management in Lakes and Ponds: As it Relates to the Wetlands Protection Act*** (April 2004- DEP Policy/SOP/Guideline# BRP/DWM/WW/G04-1).

All herbicide treatments will be performed by Massachusetts Commercially Certified Applicators in accordance with label instructions, the Order of Conditions, and the site-specific License to Apply Chemicals (BRP WM 04) that must be filed for annually with DEP's Office of Watershed Management. A copy of the valid License to Apply Chemicals will be provided to the Conservation Commission prior to treatment.

2.0 PROPOSED MANAGEMENT PROGRAM

2.1 Herbicide and Algaecide Applications

The use of USEPA/State registered herbicides and algaecides remains the most commonly used technique to effectively treat nuisance growth of vegetation and algae. The chemicals used are specifically designed and registered for aquatic usage and have been shown to control primarily aquatic plant or algae species with no undue adverse impacts to non-target organisms, when applied in accordance with the USEPA registered label. Approval for the use of chemicals at this site is desired. Herbicide/algaecide minimization is one goal of an aquatic management program. Both the area to be treated and the amount of chemical(s) (herbicides and algaecides) applied will continue to be minimized if annual monitoring and maintenance treatments are prudently performed, as required.

Treatments at Upper Mystic Lake would focus on control of nuisance plant growth occurring within and around the shoreline of the residents seeking control. Treatment of the submersed vegetation will be performed in late June when water temperatures reach 60-65 °F and the plants are actively growing. Reward (Diquat) and Aquathol Super K (endothall - granular) will be applied for control of submersed vegetation. The use of granular herbicide (same active ingredient) will reduce the effects of dilution and actually reduce the imposed temporary water use restrictions in effect following treatment. Filamentous algae will be treated with Captain® (liquid copper compound) when and if it becomes problematic. AquaPro (Glyphosate) herbicide will be used for "spot-treatment" of floating-leaved vegetation (i.e. waterlilies). AquaPro treatments are generally performed in the late summer period (late July/August). It should be noted that neither AquaPro nor copper compounds have been used in this area since 2000.

Diquat (Reward - EPA#100-1091 or equivalent)

Reward is an effective herbicide for partial-lake treatments due to its rapid mode of action and short herbicide concentration exposure-time requirements. Even though Reward is considered to be a contact-herbicide, longer term control may be seen as plants' root crowns will not be allowed to develop due to the herbicide target-effect.

The USEPA/MA registered herbicide diquat dibromide will be applied to the area at or below the permissible label dose. Reward is a widely used herbicide, applied to greater than 500 lakes annually, throughout the northeast, to control nuisance submersed aquatic plants. Reward would be applied at the application rate of 1.0-2.0 gal/acre, if necessary. Temporary water-use restrictions for Reward are now:

1. No drinking or cooking with treated water for 3 days
2. No irrigation of turf for 3 days and of food crops for 5 days
3. No livestock watering for 1 day

There are no restrictions on swimming, boating or fishing, but prudent herbicide/algaecide management suggests that we close the lake on the day of treatment. The shoreline of the lake will be posted with signs warning of these temporary water-use restrictions prior to treatment.

Reward is translocated to some extent within the plant. Its rapid action tends to disrupt the leaf cuticle of plants and acts by interfering with photosynthesis. Upon contact with the soil, it is adsorbed immediately and thereby biologically inactivated. Residual levels of Reward in treated water decline rapidly, and their reduction is due to the uptake by the targeted vegetation and adsorption to suspended soil particles in the water or on the bottom mud. Photochemical degradation accounts for some loss under conditions of high sunlight and clear waters.

Impacts Specific to the Wetlands Protection Act using Diquat ¹

- Protection of public and private water supply- Benefit (water quality improvement)
- Protection of groundwater supply- Neutral no interaction as diquat is absorbed to soil particles
- Flood control - Neutral (no significant interaction)
- Storm damage prevention - Neutral (no significant interaction)
- Prevention of pollution - Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Endothall (Aquathol-K- EPA#70506-176 or equivalent)

The USEPA/State registered herbicide, Aquathol Super K (granular) will be applied, at or below recommended Federal/State dosages. Aquathol-K would be applied to the area for control of nuisance vegetation at the application rate of 2-3 parts per million, and is especially effective on pondweeds. The low application rate, along with timing of the treatment, allows for selectivity of the vegetation controlled. Temporary water use restrictions for Aquathol-K are:

1. do not use fish from treated areas for food or feed within 3 days of treatment
2. no use of treated water for irrigation or domestic purposes within 7 days of treatment.

There is no restriction on using treated water for swimming, although prudent management practices call for the closure of the area for at least one day following treatment.

Endothall is a contact herbicide. The mode of action inhibits the use of oxygen for respiration; only portions of the plant contacted with herbicide are impacted. The chemical is taken-up into the plant

, *Commonwealth of Massachusetts Executive Office of Environmental Affairs.*
Practical Guide to Lake Management: 2004. 124 p.

within 12-24 hours after application. Chemical that is not taken-up by the plants is either broken down very quickly or chemically bound up in the sediment where it undergoes further degradation. Endothall is biodegradable. It normally disappears from water in one to ten days after application and from the soil in one to three weeks. Micro-organisms are responsible for endothall degradation through Krebs Cycle acid metabolism and use the breakdown fraction of the herbicide as nutrients. No endothall or toxic metabolite is accumulated in water or hydrosols. When shorelines, moving water, or small portions of a water body are treated, disappearance of endothall is much more rapid. In unenclosed areas, the half-life of endothall in water is 48-72 hours or less. Residues in the sediment are similarly transient.

Impacts Specific to the Wetlands Protection Act using Endothall

- Protection of public and private water supply - Neutral
- Protection of groundwater supply - Neutral (no interaction as endothall is adsorbed to soil particles)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention - Neutral (no significant interaction)
- Prevention of pollution - Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat - Possible benefit (habitat enhancement) and possible *detriment* (food source alteration, loss of cover)

Glyphosate (AquaPro - EPA#62719-324-67690, Rodeo® - EPA#62719-312 or equivalent)

Glyphosate is used to control waterlilies, water shield and emergent plants such as purple loosestrife or common reed. It is typically applied in July or early August after the plants' leaves have broken the water surface. The area and species selective control of Glyphosate allows treatments to "thin" present populations and prevent future expansion. Glyphosate would be applied at the recommended Federal/State concentration of 3 quarts/acre. There are no water use restrictions associated with the use of Glyphosate other than within a half-mile of a potable water intake, but prudent practice calls for restriction of water usage on the day of treatment as an additional safeguard. These restrictions are consistent with good pesticide practice and Massachusetts's guidelines for aquatic treatments.

Glyphosate is a systemic herbicide and is foliar active, which means its chemical ingredient is active only on contact with the plant. It has no activity in surrounding soil or water. The chemical is applied to the floating leaves and is translocated down into the rhizomes of the plant. Glyphosate is absorbed by plant foliage and moves throughout plant tissues. Once inside the plant, Glyphosate interrupts the plant's ability to produce a protein it needs to live. The protein that Glyphosate targets is found only in plants; it does not exist in humans, wildlife or fish. Glyphosate binds tightly to most types of soil particles and

² *Commonwealth of Massachusetts Executive Office of Environmental Affairs. Practical Guide to Lake Management: 2004. 127 p.*

is unavailable for root uptake. There is low potential for leaching or contamination of groundwater with Glyphosate herbicide. Microorganisms in the soil and water break down into its natural components.

Impacts Specific to the Wetlands Protection Act using Glyphosate³

- Protection of public and private water supply - Protection of public and private water supply - Detriment (prohibition within one quarter mile of surface drinking water supplies due to toxicity), but generally neutral where allowed
- Protection of groundwater supply - Neutral (no interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention - Neutral (no significant interaction)
- Prevention of pollution - Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Neutral (no significant interaction)
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Algaecides (Captain - EPA #67690-9, SeClear - EPA #67690-55, GreenClean PRO

- EPA #70299-15, or equivalent)

Approval for the use of a copper or peroxide-based algaecide is requested in the event that nuisance algae conditions develop, warranting treatment.

Copper-based algaecides (i.e. CuSO₄, Captain, SeClear) are widely used and are applied to lakes and ponds throughout North America to control nuisance filamentous and microscopic algae. There are no water use restrictions associated with copper-based algaecides and SLM treats several direct, potable (drinking) water reservoirs and a number of recreation waterbodies in the Commonwealth with these algaecides, on a yearly basis. The concentrated liquid algaecides are first diluted with pond water and are then sprayed throughout the pond area. The application rate is generally 0.2ppm or less for algae control. If applied, treatment will not exceed 50% of the pond volume.

Peroxide-based algaecides (i.e. GreenClean PRO), GreenClean Liquid) are a recent addition to algae management. Similar to copper algaecides, there are no water use restrictions. The concentrated products are diluted with pond water and then sprayed evenly throughout the treatment area. The application rate is 0.5-1.5 gal/acre-ft for algae control. If applied, treatment will not exceed 50% of the pond volume.

Impacts Specific to the Wetlands Protection Act using Copper⁴ and Peroxide algaecides

- Protection of public and private water supply - Benefit (used to control algae)
- Protection of groundwater supply - Neutral (no significant interaction)

³ Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake*

Management:
2004. 128 p.

⁴ *Commonwealth of Massachusetts Executive Office of Environmental Affairs. Practical Guide to lake Management:*
2004. 122 p.

- Flood control - Neutral (no significant interaction)
- Storm damage prevention - Neutral (no significant interaction)
- Prevention of pollution - Generally neutral (no significant interaction), but could be a detriment if algae/plant die-off causes low oxygen at the bottom of the pond or causes release of taste and odor compounds or toxins
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances.
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, direct toxicity)
- Protection of wildlife habitat - Possible benefit (habitat enhancement) and possible detriment (food source alteration, direct toxicity)

Chemical Descriptions

Detailed information on all the products proposed in this NOI can be found at the Massachusetts Department of Conservation and Recreation, Lakes and Ponds Program website. There are links under the Publications tab to the "Generic Environmental Impact Report for Eutrophication and Lake Management in Massachusetts" and the "Practical Guide to Lake Management in Massachusetts."

< <http://www.mass.gov/eea/agencies/dcr/water-res-protection/lakes-and-ponds/lakes-ponds-more-pubs-generic.html>>

Additional information on these herbicides can be found at the Massachusetts Department of Agricultural Resources website:
<<http://www.mass.gov/eea/agencies/agr/pesticides/aquatic-vegetation-management.html>>

2.2 Monitoring

Pre-management inspections will be conducted in order to finalize the treatment areas and assess the growth phase of the target plants species. Post-management inspections will be conducted in order to assess the efficacy of the management efforts and any impacts on non-target species so future applications can be properly adjusted to minimize non-target impacts.

3.0 ALTERNATIVES TO THE PROPOSED CHEMICAL MANAGEMENT PROGRAM

Alternatives to the proposed Aquatic Plant Management Plan were considered. Water & Wetland, LLC evaluated all available strategies for control of the nuisance aquatic species at this particular shoreline of Upper Mystic Lake. Findings and recommendations were based on direct experience and discussions found in the *Eutrophication and*

Aquatic Plant Management in Massachusetts Final Generic Environmental Impact Review (FGEIR, EOE 2004).

Hydro-raking: Not Recommended

Hydro Raking of plant material is beneficial in some cases; selected areas of Upper Mystic Lake were harvested in the late 1980's with less than "summer-long" control of nuisance plants attained following completion of the project. The mechanical Hydro-Rake can be best described as a "floating backhoe" with a York Rake attachment. The barge is paddle-wheel driven to facilitate operation in shallow water (<2-ft) and it can effectively work to depths of about 12-ft. It works from water, thereby avoiding damage to sensitive shoreline habitat and property. This machine 'rakes' the upper sediment layer, collecting plants and their root systems. The Hydro-Rake is well suited for the removal of large rhizome structures, providing multiple years of control. Hydro-Raking of the plant roots and some hydro-soil would provide good control of the lilies but would be much more disruptive to the area. In addition, coontail, elodea, or other plants that reproduce vegetatively are likely to be fragmented by mechanical removal and may become more prolific in other parts of the lake.

Harvesting: Not Recommended

Harvesting is not recommended due to the disruption and non-target impacts would be more significant than with spot-treatment using aquatic herbicides. Similar to the Hydro-rake, mechanical harvesting will likely fragment coontail, elodea and other plants that reproduce vegetatively, causing growth to be spread throughout other parts of the lake.

Physical: Not Recommended

Physical controls, such as the use of bottom weed barriers (i.e. Aquatic Net or Palco) are effective for small dense patches of nuisance vegetation, but are not cost effective or feasible for large areas. Weed barriers are expensive to install and maintain at ~\$1.25/ ft² (material & installation). Semi-annual maintenance to retrieve, clean and re-deploy the barriers would be expensive and time consuming. Covering expansive areas of the lake bottom may also have detrimental impacts on invertebrates or other types of wildlife.

Biological: Not Recommended.

There are no effective biological controls available or approved by the State for the control of these aquatic plant or algae species.

Water Level Management: Not Recommended

A water level drawdown in the fall and winter can be an effective control strategy for some aquatic vegetation. In general, annual plants

(i.e. most pondweeds) do not respond well to drawdowns. Weather conditions also play a factor in the effectiveness of drawdown. Significantly more study into the effectiveness and potential adverse effects of drawdown at Upper Mystic Lake must be conducted to fully assess this option. It is unknown whether the current dam would provide for a significant (greater than 5-6 feet) lowering of the lake level in order to provide significant control of nuisance vegetation.

Sediment Excavation: Not recommended

Dredging of the nutrient-rich bottom sediment is sometimes used as a strategy to control excessive weed growth. Conventional (dry) or hydraulic dredging would require the expenditure of potentially \$7,000-\$10,000 in design and permitting fees alone. Disruption to the sensitive grounds surrounding the lake is also of great concern. Dredging may also have severe impacts to aquatic organisms (i.e. fish, macro invertebrates) in the lake with no guarantees of elimination of invasive and nuisance vegetation.

Do Nothing: Not recommended.

If the nuisance and aquatic vegetation are allowed to continue to grow unabated, the lake's littoral zone will become further infested, increasing shoreline overgrowth at this location on Upper Mystic Lake. The increased vegetation and algae may further degrade fish and wildlife habitat, accelerate the eutrophication and filling in of the waterbody and impact the aesthetic and recreation value and uses that the lake provides to the area residents. It is not the goal of this project to rid the lake and this area of all vegetation, but to manage the plants in order to maintain the historic uses of the lake along with its wetland function and values.

4.0 COMPLIANCE

Massachusetts Wetlands Protection Act

The objective of this project is to control invasive species through use of USEPA/MA DAR registered aquatic herbicides. Controlling densities of native species will typically not adversely affect wildlife habitat and will not negatively impact other interests of the Massachusetts Wetlands Protection Act. No significant alteration to wetland resource areas will occur as a result of the proposed management program; the resource areas will be enhanced by controlling the nuisance plant growth. The proposed management activities are consistent with the guidelines in the following documents:

- Final Generic Environmental Impact Report: Eutrophication and Aquatic Plant Management in Massachusetts (June 2004)
- Guidance for Aquatic Plant Management in Lakes and Ponds: As it Relates to the Wetlands Protection Act (April 2004- DEP Policy/SOP/Guidelines #BRP/DWM/WW/G04-1)

- The Practical Guide to Lake Management in Massachusetts (2004)

DEP License to Apply Chemicals

All chemical applications will be performed by Certified Applicators. The USEPA/MA registered aquatic herbicides will be applied at recommended label rates, in accordance with the "Order of Conditions" and DEP "License to Apply Chemicals" permits (BRP WM04). Prior to treatment the shoreline will be posted with signs, warning of all temporary water-use restrictions. A site specific "License to Apply Chemicals" for the proposed treatment will be filed with MA DEP, Office of Watershed Management.

Massachusetts Environmental Policy Act

The strategies proposed in this NOI are options approved under the Massachusetts Environmental Protection Act (MEPA) process that was approved in 2004 with the issuance of the FGEIR and the *Practical Guide to Lake and Pond Management* in Massachusetts. These approaches do not require individual MEPA review.

Massachusetts Endangered Species Act

According to the most recent Natural Heritage maps provided by MA GIS, the specified Upper Mystic Lake location is not located within an area designated as Priority Habitat of Rare Species as determined by the Massachusetts Natural Heritage and Endangered Species Program (NHESP).

5.0 IMPACTS OF THE PROPOSED MANAGEMENT PLAN SPECIFIC TO THE WETLANDS PROTECTION ACT

Public and Private Water Supply

To the best of our knowledge there are no direct water supply intakes from the lake or any "dug" wells used for drawing water within 50 ft. of the water's edge or within 1,300 ft. of the lake's outlet. Aquatic herbicide treatment at the lake will not have any adverse impacts on relative public or private water supply, when used in accordance with the product label and conditions of the MA DEP License to Apply Chemicals.

Protection of Groundwater Supply

According to available studies, there is no reason to believe that the groundwater supply will be adversely impacted by the application of chemicals to the lake. Contamination of groundwater by aquatic herbicides is limited by the low rate of application, rapid rate of degradation, and uptake by target plants. Water and Wetland's State licensed applicators take all necessary precautions when mixing and disposing of all chemical containers.

Flood Control and Storm Damage Prevention

No construction, dredging or alterations of the existing floodplain and storm prevention characteristics of the lake are proposed. However, in some instances, abundant and excessive aquatic plant growth can contribute to high water and flooding. Most commonly this occurs in the vicinity of waterbody outlets or water conveyance channels or structures. The unmanaged annual growth and decomposition of aquatic vegetation is also known to increase sediment deposition. Therefore, the application of aquatic herbicides may increase the ability of the resource area, over the long-term, to provide flood protection.

Prevention of Pollution

No degradation of water quality or increased pollution is expected by the application of the proposed herbicides. The proposed herbicides are relatively slow acting in controlling the nuisance and non- native vegetation. This results in a slow release of nutrients from the decaying plants, reducing the potential for increases in nutrients that can cause algae blooms. Removal of the excessive growth of aquatic vegetation will contribute to improved water circulation and a reduction in the potential for anoxic conditions. The post-treatment decrease in plant biomass will help to decrease the rate of eutrophication currently caused by the decomposing of excessive plant material.

Protection of Fisheries and Shellfisheries

The contiguous, dense beds of aquatic vegetation provide poor habitat to fish and other aquatic organisms. The dense plant cover frequently results in significant diurnal fluctuations in dissolved oxygen as well as oxygen depletion during certain times of the year. Dense vegetation growth also may inhibit predator/prey relationships and potentially yield an altered fish population. While temporary effects on some desirable submersed and floating-leafed species may occur following the application of an aquatic herbicide, non-target plants typically rebound quickly.

Protection of Wildlife and Wildlife Habitat

In general, excessive and abundant vegetation provides poor wildlife habitat. The proposed management plan is expected to help prevent further degradation of the waterbody through excessive weed growth and improve the wildlife habitat value of the lake in the long-term. Maintaining a balance of open water and vegetated areas is intended.

ATTACHMENT C

Figures

Reports



Upper Mystic Lake

Winchester, Arlington & Medford

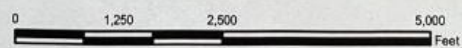
Site Locus

FIGURE:	SURVEY DATE:	MAP DATE:
1	--	6/27/16

Legend:



Upper Mystic Lake ~177 acres





Upper Mystic Lake
 Winchester, Arlington & Medford
 Proposed Shoreline treatment locations

FIGURE:	SURVEY DATE:	MAP DATE:
2	--	6/27/16

Legend:

N

0 140 280 560 Feet



November 17, 2022

Arlington Conservation Commission
Attention: David Morgan, Environmental Planner/Conservation Agent
730 Massachusetts Avenue
Arlington, MA 02476
Sent via email: dmorgan@town.arlington.ma.us

Re: Parker Road Section (Upper Mystic Lake), Arlington, MA (DEP #091-0277) – 2022 Year End Report

Dear Mr. Morgan and Commission Members:

It is our pleasure to present the 2022-year end summary report to Arlington Conservation Commission regarding the 2022 aquatic management program at Upper Mystic Lake (Parker Road Section). Upper Mystic Lake (to the right) is located in Arlington, Winchester, and Medford, MA and is approximately 178 acres. The focus of the aquatic management program included a two-acre area adjacent to Parker Road and Robin Hood Road. This area encompassed the shorelines of 5, 7, 11, 15, and 18 Parker Road as well as 28 and 34 Robin Hood Road. The Lake is surrounded by properties around the western and northern shoreline, with the Mystic Valley Parkway to the east. Boat Clubs and the dam (outlet) are found within the southern shoreline. The dam is a large, constructed structure that feeds into the Mystic River. The inlet is within the northeastern shoreline of the Lake, which is comprised of the Aberjona River. The boat launch utilized during the site visit is located at the southeastern corner of the Lake at the Medford Boat Club public entrance, adjacent to the Bacow Sailing Pavilion – Tufts. Shannon Beach and Shannon Beach Playground are located off of the Mystic River Path on the eastern shoreline. The Parker Road Section is shallow compared to the remainder of the Lake as the maximum depth of the Lake is approximately 90 feet.

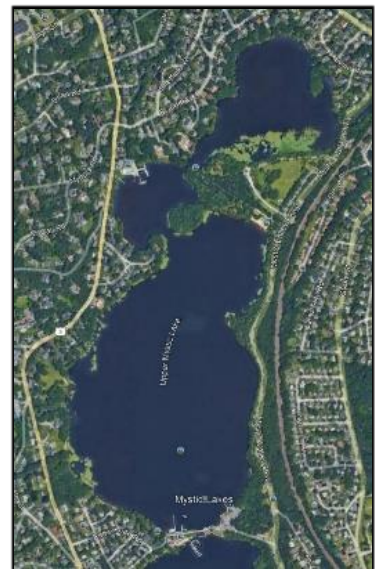


Figure 1: Upper Mystic Lake

Historically, the Parker Road Section of Upper Mystic Lake has battled invasive species curly-leaf pondweed (*Potamogeton crispus*) and water chestnut (*Trapa natans*), and nuisance densities of native species elodea (*elodea*), coontail (*Ceratophyllum demersum*), and ribbon-leaf pondweed (*Potamogeton epihydrus*), in addition to poor water clarity. The goal of the 2022 program was to document and manage the invasive species and nuisance aquatic vegetation. This would be accomplished by implementing an aquatic management program that focused around performing all applicable tasks, including planning, permitting, surveys, treatments, and reporting.

All permitting, treatment, and survey tasks were completed without issue and at the proper times. The table below provides the specific dates of each task. Below the table, each visit/task performed is described in additional detail.

Summary Of 2022 Management Activities

Date	Task/Description
May 25 th , 2022	The Pre-treatment survey as performed to document species/densities present and to determine the proper timing of the treatment; Water chestnut was hand-pulled and properly disposed of.
June 23 rd , 2022	An herbicide treatment was completed; Water chestnut was hand-pulled and properly disposed of. Subsequent visits monitored dissolved oxygen.
August 9 th , 2022	A Post-treatment survey was conducted to evaluate the effectiveness of the treatment and to guide recommendations for 2023.

Pre-Treatment Survey – May 25, 2022

On May 25th, Senior Environmental Scientist/Co-Owner, Colin Gosselin, completed a site visit to Upper Mystic Lake, specifically the management area along Parker Road and Robin Hood Road. The visit consisted of conducting a survey and collecting basic water quality. Conditions during the visit were sunny with a slight breeze.



Figure 2: Water chestnut found within the Parker Road Section of Upper Mystic Lake

Upon arrival, a survey was conducted using visual observation paired with a standard throw-rake. Scattered curly-leaf pondweed (invasive) and elodea were observed in the survey area. While conducting the survey, roughly ten water chestnut plants (invasive) were found (illustrated in Figure 2). While not part of the scope of our contract, these plants were hand-pulled and removed from the site. This will help limit the spread of this extremely invasive plant. Scattered waterlilies were observed (see Figure 3).

While on-site, basic water quality was collected using calibrated meters. The water temperature was consistent with other similar waterbodies we manage in the area, and the dissolved oxygen was sufficient to support fish and wildlife. Water clarity was also assessed using a Secchi disk. A Secchi disk is a disk with alternating black and white quadrants. It is lowered into the water of a lake until it can no longer be seen by the observer. This depth of disappearance, called the Secchi depth, is a measure of the transparency of the water. The Secchi reading was 6'1".

Based on the survey, it was slightly early for treatment as we were targeting a variety of species. Based on the densities observed, we scheduled the treatment for approximately one month from the survey, on June 23rd. This allowed for appropriate treatment timing, and excellent conditions for the Fourth of July Holiday. Through our field notes, we encourage abutters to hand-pull and remove any water chestnut encountered (Figures 2, 4 and 8).



Figure 3: Water and Wetland Biologist conducting a survey for the Parker Road Neighbors

Surface Temp (°C)	Surface Dissolved Oxygen (mg/l)
23.9	7.54

Herbicide Treatment – June 23, 2022

On June 23rd, Senior Environmental Scientist, James Lacasse, completed a site visit to the Parker Road section of Upper Mystic Lake. The visit consisted of collecting basic water quality data and conducting a treatment. Conditions during the visit were sunny and calm.

While on-site, basic water quality was collected using calibrated meters. The pH was 7.2, which is within a standard range for freshwaters and is considered neutral. The water temperature was consistent with other similar waterbodies we manage in the area, and the dissolved oxygen was sufficient to support fish and wildlife. Water clarity was also assessed using a Secchi disk. The Secchi reading was 4'10".



Figure 5: Water chestnut hand-pulled from the Parker Road Section

As planned, and based on the survey, a treatment was conducted for the control of nuisance and invasive pondweeds, based on the



Figure 4: Waterlilies within Parker Road of Upper Mystic Lake

previously performed pre-treatment survey. The liquid herbicides (diquat and Aquathol K) were applied using a treatment boat equipped with a calibrated sub-surface injection system. This application methodology allows for even coverage within the treatment areas. Posters stating the affiliated water-use restrictions were posted around the treatment area prior to treatment. Arlington Conservation Commission was also notified of the treatment. The abutters completed all other notifications in accordance with Order of Conditions requirements. While treating, three water chestnut plants were noted. These three plants were hand-pulled (seeds included) and properly disposed of (Figure 4).

A Water & Wetland, LLC Biologist and/or seasonal field assistant returned following the treatment at various durations to check dissolved oxygen and temperature within the management area. The Order of Conditions notes that these collections are to occur between the hours of 12:00PM and 5:00PM when dissolved oxygen readings are the lowest. Measurements were collected with a calibrated YSI dissolved oxygen meter within these hours, however it should be noted that dissolved oxygen is typically at it's lowest in the early morning hours or right before dawn.

Date	Surface Temp (°C)	Surface Dissolved Oxygen (mg/l)
June 23, 2022 (Day of Treatment)	26.2	7.81
June 24, 2022 (One Day After Treatment)	26.4	7.76
June 25, 2022 (Two Days After Treatment)	27.8	7.84
June 30, 2022 (Seven Days After Treatment)	28.4	7.72
July 7, 2022 (Fourteen Days After Treatment)	28.6	7.64

Post-Treatment Survey – August 9, 2022

On August 9th, Senior Environmental Scientist, James Lacasse, completed a site visit to Upper Mystic Lake. The visit consisted of conducting a survey and collecting basic water quality data. Conditions during the visit were sunny and hot.

Upon arrival, a survey was conducted using visual observation paired with a standard throw-rake and handheld GPS/ArcGIS Field Maps, as applicable. The treatment worked great as all target species were controlled (see Figure 6). The water level was lower than average (due to lack of seasonal rainfall) as there was no flow noted out of the outlet



Figure 6: Equipment and meters used during the post-treatment survey

of Upper Mystic Lake. Water clarity was average as a small, microscopic algae bloom was documented. Waterlilies were observed scattered throughout the previous treatment area and north of the treatment area. The waterlilies were most dense just north of the previous treatment area. No water chestnut was documented. Lilies at this density and cover are very beneficial as they provide valuable habitat and fish cover. They are a native species and at this time do not warrant management/ treatment.



Figure 7: Overlooking the Parker Road section of Upper Mystic Lake

The water temperature was consistent with other similar waterbodies we manage in the area and the dissolved oxygen was sufficient to support fish and wildlife (meters and equipment illustrated in Figure 7). Water clarity was also assessed using a Secchi disk. The Secchi reading was 5'8", which illustrates average water clarity.

Surface Temp (°C)	Surface Dissolved Oxygen (mg/l)
28.5	7.03

Summary / 2023 Recommendations

2022 marked the first year in which Water & Wetland, LLC was contracted by the Parker Road neighbors for the management of nuisance and invasive species within the area immediately abutting the specifically defined properties. All work was completed at the most appropriate times and within the confines of the Order of Conditions and all special conditions. Conditions during each visit to the management area were desirable. Additionally, while not part of the scope of our contract, any observed water chestnut within the management area was removed by hand (Figure 8).

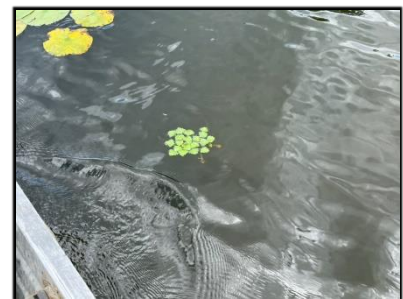


Figure 8: Water chestnut plant surfacing

For 2023, we recommend continuing with a similar treatment program. The herbicides used for the control of the target nuisance invasive species will typically provide seasonal control, but regrowth will be experienced in subsequent years. Use of systemic products when spot-treating is difficult as many of these products, such as Sonar (fluridone), require maintaining the desired concentration for a period of 45-60+ days. This is extremely difficult when treating just a small area within a much larger waterbody. Even if systemic products were considered, there is a turion bed of curly-leaf pondweed therefore we would not



expect systemic control of this target even if drastically more expensive systemic herbicides were used. For these reasons, it makes the most sense to continue use of diquat and endothall herbicides.

Waterlilies are approved for treatment with Imazamox herbicide. At the densities/cover of waterlilies documented within the management area during the 2022 season, we do not recommend treatment. Waterlilies are a native species which provide beneficial habitat and cover. Lilies were only documented in low densities and small patches throughout the management area (short of the area at the immediate north of the management area). Though native, lilies do have the ability to take over large areas thus limiting oxygen exchange and biodiversity. Because of this, lilies should continue to be closely monitored in 2023 and subsequent years. If the lilies do expand to cover/density which warrants treatment, Imazamox will be extremely effective at providing systemic control of this species. If this is the case in 2023 or beyond, the focus of waterlily management should never be elimination of the species, but rather to scale them back to a more healthy/balanced density/cover.

Water & Wetland will continue to hand-pull a small number of water chestnut plants when encountered. We do this simply out of being good stewards of the environment. If at any point the water chestnut exceeds what can be reasonably hand-pulled and removed in a short duration of time, the Parker Road Residents should consider a concerted volunteer hand-pulling effort. The neighbors should familiarize themselves with water chestnut identification and be diligent about monitoring for this species. If encountered, the water chestnut should be removed by hand and properly disposed of. This should be completed prior to approximately mid-August when the plants set seed.

Our records indicate that the most recent Order of Conditions extension was valid until December 31, 2021. This was automatically extended due to the State of Emergency and subsequent permit tolling guidance. The new expiration date, as confirmed in writing by Arlington Conservation Commission, is now April 7, 2023. We recommend continuing this program in 2023 and beyond under the same scope of work originally approved. Based on this, we plan to request an extension to the OOC approximately 60 days prior to expiration. We are aware of the Arlington bylaw limiting extensions to two – three-year periods. If additional extensions are not allowed, then a new Notice of Intent may need to be filed.

We have greatly enjoyed working with the Parker Road Residents and Arlington Conservation Commission on this project. We hope you were impressed with the level of communication, expertise, and follow through which Water & Wetland provided during the 2022 season. We look forward to working with you in 2023 and beyond.

Sincerely,

James Lacasse

Senior Environmental Scientist

o: 888-4WETLAN(D)

james@waterandwetland.com

www.waterandwetland.com

Annual Report
2020 Aquatic Management Program
Upper Mystic Lake
Arlington, MA

Prepared for: Mrs. Suzanne Owayda
15 Parker Road
Arlington, MA 02174

Submitted: December 2020

Introduction

In accordance with the existing aquatic plant management contract for an Arlington portion of Upper Mystic Lake, the following document serves to provide a summary of the survey results, treatment activities and management recommendations for the 2021 season.

All work performed this season was conducted in accordance with the current Order of Conditions (OOC) issued by the Conservation Commission (DEP #91-277) and the MA DEP – Office of Watershed Management issued License to Apply Chemicals (#20075).

A chronology of this year's management tasks, and brief description of events is as follows:

2020 Program Chronology

- | | |
|--|----------|
| • Received MA DEP License to Apply Chemicals | 04/04/20 |
| • Early season pre-treatment survey | 05/20/20 |
| • Initial herbicide treatment | 07/16/20 |
| • Second herbicide treatment | 08/18/20 |
| • Interim survey | 08/27/20 |
| • Late season survey | 09/30/20 |

Pre-Treatment Survey

A pre-treatment survey was conducted by a SOLitude Environmental Scientist on May 20, 2020. The purpose of this survey was to determine the composition and abundance of vegetation within the treatment area. Trace to sparse abundances of filamentous algae and macro algae species (*Chara* spp. & *Nitella* spp.) were observed throughout the treatment area. Though no pondweed species were observed in the area at the time of treatment, given the historical recurrence of these species it is anticipated that they will be observed later in the season. A return visit for survey and treatment if deemed necessary was scheduled for mid-July.

Herbicide Treatments

The initial herbicide treatment was performed by a SOLitude biologist on July 16, 2020. Prior to the initial treatment, the shoreline area was surveyed to assess the composition of and distribution of aquatic plant growth. Various pondweed species (*Potamogeton* spp.) were observed, as well as more macoralgae, some scattered waterlily growth and waterweed (*Elodea canadensis*). The treatment utilized an aluminum work skiff outfitted with a tank and low-pressure pump system in which to dilute and apply diquat and endothall herbicides. A GPS unit was utilized to delineate the treatment area and ensure even application.



A second herbicide/single floating-leaf treatment was performed by a SOLitude biologist on August 18, 2020. This treatment was conducted using the same equipment as the initial treatment though endothall and imazamox herbicides for this treatment. The endothall herbicide was applied subsurface to alleviate some nuisance plant growth that had not been impacted during the initial application, while the imazamox herbicide was utilized for a spot-treatment of scattered waterlily growth within the shoreline management area.

Prior to treatments, residents and the Arlington Conservation Commission were notified of the treatment, and water-use restriction signs were posted around the shoreline of the treatment area for restrictions imposed following treatment. At no time during either treatment were adverse impacts to non-target or aquatic organisms either observed or reported.

All post-treatment temperature, dissolved oxygen and Secchi measurements collected in compliance with the OOC are compiled in the table below.

Date	Days after treatment	Temperature (°C)	Dissolved Oxygen – surface(mg/L)	Secchi Depth (ft)	Herring Presence (Y/N)
07/16	Day of	26.2	8.17	6.6	No
07/17	1	26.2	8.22	6.7	No
07/18	2	25.7	9.41	7.2	No
07/23	7	26.2	9.38	6.9	No
07/30	14	25.8	9.21	7.0	No
08/18	Day of	27.4	9.02	6.5	No
08/19	1	26.8	9.14	6.8	No
08/20	2	26.8	9.10	6.7	No
08/25	7	27.2	8.89	6.5	No
09/01	14	26.4	9.17	6.9	No

Post-Treatment Surveys

An interim, cursory survey was conducted on August 27; the treatment area was toured, and target plant growth was not observed at nuisance levels. A post-treatment survey was conducted by a SOLitude Environmental Scientist on September 30, 2020. The goal of this survey was to determine the efficacy of treatments during the management season and aid in planning for the next season. At the time of this survey, no vegetation and trace floating-leaf species were observed; some residual submerged dead vegetation was observed with trace amounts of filamentous algae attached to it.

Ongoing Management Recommendations

Given the results of the survey, the 2020 management season can be deemed successful at maintaining control of invasive and nuisance vegetation. This treatment was done without any adverse or observable impacts to non-target species. Based on the success of the program, we recommend continuing with a similar approach in 2021 including the management of floating-leaf species. Early season surveys in conjunction with appropriately timed treatments have maintained desirable conditions within the area. As always, if problematic vegetation and/or algae conditions arise, the most effective yet approved management strategy will be used to continue balancing conditions while maintaining a healthy ecosystem.



If you have any questions regarding the 2020 management program or our management recommendations for 2021, please do not hesitate to contact our office. We have enjoyed working with you in 2020 and look forward to working with you again in 2021.



Town of Arlington, Massachusetts

Notice of Intent: Hill's Pond Aquatic Management

Summary:

Notice of Intent: Hill's Pond Aquatic Management

This public hearing will consider a Notice of Intent to manage aquatic vegetation at Hill's Pond in Land Under Water.

ATTACHMENTS:

Type	File Name	Description
Reference Material	Hill_s_Pond_Aquatic_Vegetation_Management_Notice_of_Intent_Package.pdf	Hill's Pond Aquatic Vegetation Management Notice of Intent Package



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

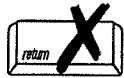
Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

0 Lot Jason Street (Hill's Pond)

a. Street Address

Arlington

b. City/Town

02476

c. Zip Code

Latitude and Longitude:

139-1

f. Assessors Map/Plat Number

d. Latitude

18

g. Parcel /Lot Number

e. Longitude

2. Applicant:

a. First Name

Town of Arlington, Conservation Commission

b. Last Name

c. Organization

730 Massachusetts Avenue

d. Street Address

Arlington

e. City/Town

781-316-3012

h. Phone Number

i. Fax Number

MA

f. State

02476

g. Zip Code

concomm@town.arlington.ma.us

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

Town of Arlington Park and Recreation Commission

b. Last Name

c. Organization

730 Massachusetts Avenue

d. Street Address

Arlington

e. City/Town

MA

f. State

02476

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

David

a. First Name

Town of Arlington

c. Company

730 Massachusetts Avenue

d. Street Address

Arlington

e. City/Town

781-316-3012

h. Phone Number

i. Fax Number

MA

f. State

02476

g. Zip Code

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

EXEMPT

a. Total Fee Paid

EXEMPT

b. State Fee Paid

EXEMPT

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

A. General Information (continued)

6. General Project Description:

Treat and monitor nuisance/invasive aquatic weed and algae growth; apply polyaluminium chloride treatment in April/May; measure pond dissolved oxygen/temperature; apply herbicide and/or algaecide (diquat and/or copper) treatment as conditions warrant; inspect and repair aeration system; install and maintain EutroSORB filters; collect samples for measuring cyanobacteria levels.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input checked="" type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☐ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

a. County

b. Certificate # (if registered land)

c. Book

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	104,250± 1. square feet	104,250± 2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project:

square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet

b. square feet within 100 ft.

c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI?

☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996?

☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number: _____

Document Transaction Number: _____

City/Town: _____

C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☐ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project? d. ☐ Yes ☐ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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Bureau of Resource Protection - Wetlands

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☒ No. Check why the project is exempt:
1. ☐ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Hill's Pond Aquatic Vegetation Management Package

a. Plan Title

David Morgan

b. Prepared By

04/03/2023

d. Final Revision Date

c. Signed and Stamped by

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☒ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

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City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

2. Date

4. Date

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

a. Street Address

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. ***Please see Instructions before filling out worksheet.***

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee: _____
a. Total Fee from Step 5

State share of filing Fee: _____
b. 1/2 Total Fee less \$12.50

City/Town share of filing Fee: _____
c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



ESTIMATE



Prepared For

Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02476
(781) 316-3000

Water & Wetland, LLC

115 South Street
Upton, MA 01568
Phone: (888) 493-8526
Email: joe@waterandwetland.com
Web: www.waterandwetland.com

Estimate # 20611
Date 01/30/2023
Business / Tax ID: 85-1677147, CT Bus
Tax # Reg #: PMBR.03620

Description

Total

2023 Pond Maintenance Program - Menotomy Rocks Park Pond	\$3,880.00
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Water & Wetland, LLC will provide pond maintenance services for Menotomy Rocks Park Pond (approx. 2.5 - acres) during the 2023 season, includes:

- Preparation and filing of the necessary MA-DEP License to Apply Chemicals Permit (WM04).*

- Monthly visits to the Pond by a Water & Wetland Aquatic Biologist licensed to apply aquatic herbicides in Massachusetts, during the months of April through September. During each monitoring visit, the biologist will: visually inspect pond conditions with special regard to nuisance/invasive aquatic weed and algae growth; measure pond dissolved oxygen/temperature; if conditions warrant treatment the Water & Wetland Biologist will apply the appropriate herbicide/algaecide as conditions warrant and as approved by permit conditions. Customer will be provided with a "field notes summary" detailing the work performed during each visit. Our specialized field notes summaries include photos, basic water quality such as temperature and dissolved oxygen, a summary of the work performed, recommendations, and notes on pond condition. Field notes summaries are typically provided within one business day of the visit to the Pond.

- Water & Wetland, LLC will inspect the aeration system during each visit to insure proper functionality. A minor repair will be made in the field, however issues with aeration systems which require component replacements such as compressor, diffuser, or hose, will be brought to the client's attention within the field notes summaries.

- A year end report will be provided to the Arlington Conservation Commission, if required in the Order of Conditions.

*The Client is required to provide a valid Order of Conditions from Arlington Conservation Commission. This document is required to obtain a MA-DEP WM04 permit, and to perform any work within the pond or wetland buffer area. In the event a new Notice of Intent needs to be filed, additional 93 of 103

costs will apply. Our records indicate that the current OOC has expired as it was ineligible for an extension under the Town's wetland bylaw.

Subtotal	\$3,880.00
<hr/>	
Total	\$3,880.00

Payment Schedule

May 1 (33%)	\$1,280.40
July 1 (34%)	\$1,319.20
September 1 (33%)	\$1,280.40

Notes:

Water & Wetland encourages timely permitting to avoid delays in management. For this reason, we respectfully ask that this proposal be signed within thirty (30) days of receipt. Following this 30-day period, Water & Wetland, LLC reserves the right to review program scope and pricing.

Optional Services:

- * If approved under issued Order of Conditions, Water & Wetland, LLC will apply a low-dose PAC (polyaluminum chloride) treatment in the Spring for a cost of \$500. This treatment binds phosphorus in the water column. Phosphorus is the limiting nutrient which fuels algae blooms.
- ** If approved under the issued Order of Conditions, Water & Wetland, LLC will place EutroSORB filters in strategic locations to filter free reactive phosphorus entering the pond. Filters are \$225 each, we recommend the Town budget for 2-4 filters if elected. If budget allows, these should be replaced once during the season, which would double the amount of filters recommended.

- 1) The Parties acknowledge that the existence and the terms of this Agreement and any oral or written information exchanged between the Parties in connection with the preparation and performance this Agreement are regarded as confidential information. Each Party shall maintain confidentiality of all such confidential information, and without obtaining the written consent of the other Party, it shall not disclose any relevant confidential information to any third parties, unless required by law.
- 2) Water & Wetland, LLC will maintain general liability insurance coverage for the entire term of this agreement. Certificates of Insurance are available upon request and we are more than happy to name the Customer as additional insured.
- 3) Unless otherwise specified in writing, all payments are due within thirty (30) days of receiving an invoice.
- 4) Any alteration or deviation from the provided scope of services that may involve extra costs will be executed only upon written change orders and will become an extra charge over the final contract price determined by mutual agreement between the parties
- 5) The provided pricing shall expire 30 days from the date submitted unless extended in writing by Water & Wetland, LLC.
- 6) Water & Wetland, LLC will not be held liable for delays that may be caused by weather, site conditions, or regulatory process. We are committed to timely filing of any necessary permits, as provided in the scope of services. The Customer understands that by signing, once filed the permit review process is solely dependent on the State or local municipality responsible for issuance.
- 7) Unless specified in the scope of services, all quotes provided include labor and materials, as well as any equipment necessary to complete the quoted project in a timely and safe manner.
- 8) The liability of Water & Wetland, LLC for any claims arising out of this Agreement, regardless of the form of action, shall not exceed the amount paid by the Customer to Water & Wetland, LLC under this Agreement, unless otherwise agreed upon in writing by both parties.
- 9) In the event legal action is required to enforce payment, the Customer will be responsible for all attorney fees and any court costs incurred in bringing legal action and/or enforcing any judgment granted therein, plus interest at the legal rate from the date of accrual of such fees and costs. All of which shall be deemed to have accrued upon the commencement of such action and shall be paid whether or not such action is prosecuted to judgment. Any judgment or order entered in such action shall contain a specific provision providing for the recovery of attorney fees and costs incurred in enforcing such judgment.
- 10) By signing, the Customer understands that some products that may be used hold restrictions on irrigation. It is the Customer's responsibility to notify Water & Wetland, LLC of any irrigation uses of the pond or lake.

11) Herbicides and algaecides used by Water & Wetland, LLC are both EPA and State approved. Although there is no direct toxicity to fish and wildlife, the Customer understands that fish kills can occur naturally due to lack of dissolved oxygen, spawning stress, or otherwise. In this case, Water & Wetland, LLC shall not be held responsible.

Water & Wetland, LLC

Town of Arlington



Office of the
Board of Assessors
Robbins Memorial Town Hall
Arlington, MA 02476
(781) 316-3050
Assessors@town.arlington.ma.us

Abutters List

Date: April 3, 2023

Subject Property Address: 0 LOT JASON ST Arlington, MA
Subject Property ID: 139-1-18

Search Distance: 100 Feet
Conservation

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters within 100 feet of the property lines of subject property.

BOARD OF ASSESSORS
TOWN HALL
ARLINGTON, MA 02476

Board of Assessors

ABUTTERS LIST**Date: April 3, 2023****Subject Property Location: 0 LOT JASON ST Arlington, MA****Subject Parcel ID: 139-1-18****Search Distance: 100 Feet****Conservation**

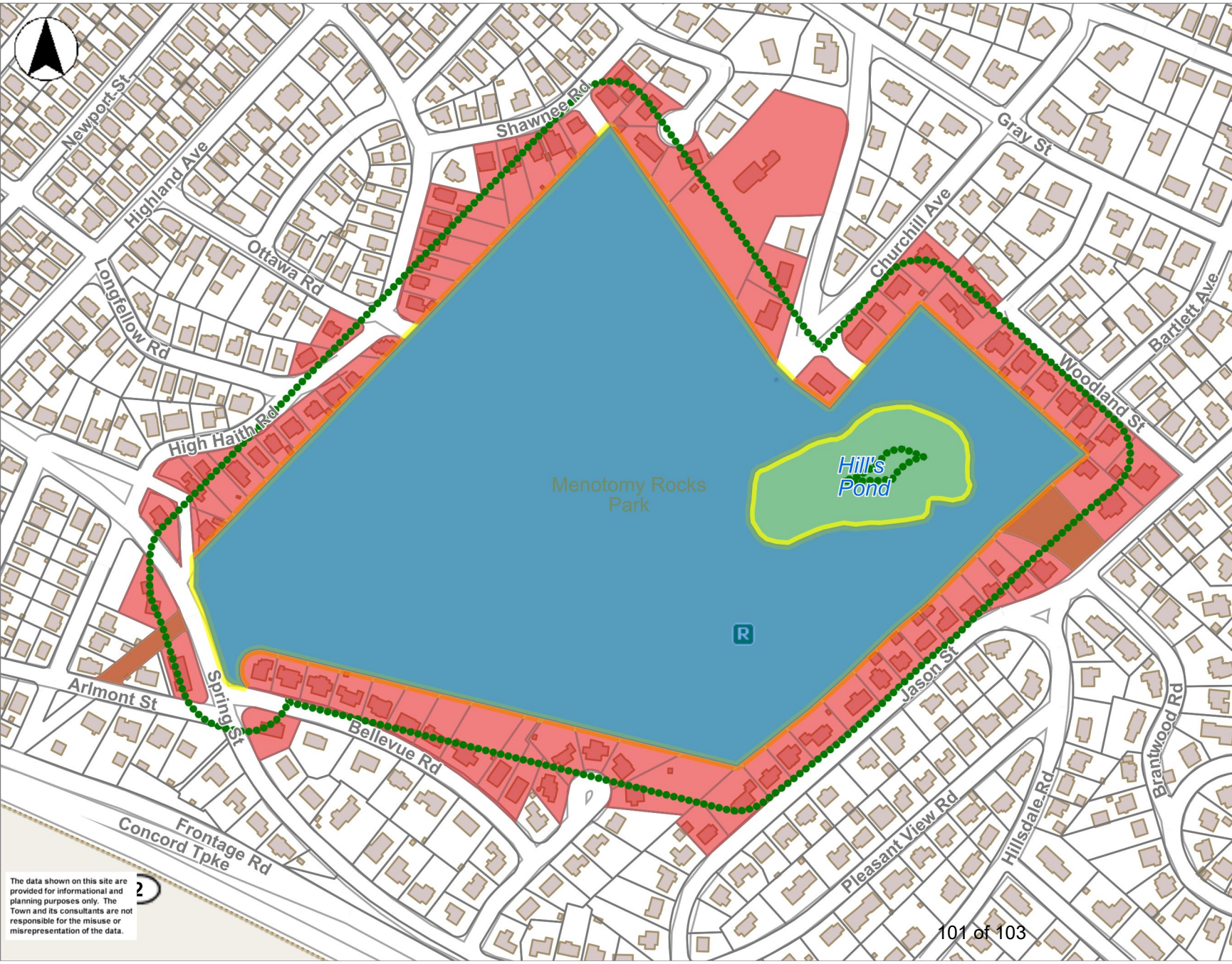
Parcel ID	Property Location	Owner 1	Owner 2	Mailing Address 1	City/Town	State	Zip
134-3-4	96 CHURCHILL AVE	CHA JANG-HO &	HAYES-CHA JANICE	96 CHURCHILL AVE	ARLINGTON	MA	02476
134-3-5.B	100 CHURCHILL AVE	MARTIN JOSHUA B ETAL/ TRS	JOSHUA B MARTIN REVOCABLE TR	100 CHURCHILL AVE	ARLINGTON	MA	02476
134-3-6.A	104 CHURCHILL AVE	D'AMOUR ALEXANDER NICHOLAS	COLLINS MELISSA ANNE	104 CHURCHILL AVE	ARLINGTON	MA	02476
134-3-6.B	108 CHURCHILL AVE	MAIER WILLIAM R JR/TR &	HATTEMER THERESE I/TR	108 CHURCHILL AVE	ARLINGTON	MA	02476
134-5-1	12 SHAWNEE RD	COOPERSON DANA A TRUSTEE	VIEWEG-COOPERSON FAMILY	12 SHAWNEE RD	ARLINGTON	MA	02476
134-5-2	6 SHAWNEE RD	BINGHAM W ALEXANDER ETAL/ TRS	W ALEXANDER BINGHAM REVOCABLE	6 SHAWNEE RD	ARLINGTON	MA	02476
134-5-4	21 VALLEY RD	STERLING KATHARINE PARKS		21 VALLEY RD	ARLINGTON	MA	02476
134-5-9	29 VALLEY RD	KEITHLY LOIS J		29 VALLEY RD	ARLINGTON	MA	02476
134-5-10	33 VALLEY RD	VALLEY ROAD LLC		850 WASHINGTON ST	DEDHAM	MA	02026
134-5-12.A	7 MENOTOMY ROCKS DR	D'ADDARIO PAUL S &	LISA SULLIVAN SUPPLEMENTAL NEE	3 MCDEVITT DR	WOBURN	MA	01801
134-5-13	11 MENOTOMY ROCKS DR	GARDINER WILLIAM J & PAULINE G	TRS/ WILLIAM J GARDINER REVOCA	11 MENOTOMY ROCKS DR	ARLINGTON	MA	02476
134-5-14	20 MENOTOMY ROCKS DR	DE COURCEY THOMAS E-ANNE		20 MENOTOMY ROCKS DR	ARLINGTON	MA	02476
134-6-1	112 CHURCHILL AVE	MATTHEISEN DONALD J/PATRICIA	MATTHEISEN C./TRS MATTHEISEN T	112 CHURCHILL AVE	ARLINGTON	MA	02476
134-7-1	16 SHAWNEE RD	ROOP NOELLE P &	TURKINGTON RACHAEL A	16 SHAWNEE RD	ARLINGTON	MA	02476
134-7-2	20 SHAWNEE RD	REISBERG LIZ		20 SHAWNEE ROAD	ARLINGTON	MA	02476
134-7-3	26 SHAWNEE RD	VAROGLU MUSTAFA	WESTERHOFF JANET	26 SHAWNEE RD	ARLINGTON	MA	02476
134-7-4	30 SHAWNEE RD	RAILA MARC & HEFFER ERICA/TR	RAILA/HEFFER FAMILY TRUST	30 SHAWNEE RD	ARLINGTON	MA	02476
134-7-5	34 SHAWNEE RD	KWEI ERIC	XU XIAOMENG	34 SHAWNEE ROAD	ARLINGTON	MA	02476
135-1-10	27 MORTON RD	HARRIS CHRISTOPHER J	HARRIS KRISTIN	27 MORTON ROAD	ARLINGTON	MA	02476
135-1-11	31 MORTON RD	EDMONDSON JOHN A & REBECCA A	TRS/ EDMONDSON REVOCABLE LIVIN	31 MORTON RD	ARLINGTON	MA	02476
135-1-12	26 MORTON RD	STRATEMEYER ERIC GRANT ETAL	TRS/ 26 MORTON ROAD REALTY TR	26 MORTON RD	ARLINGTON	MA	02476
135-1-13	22 MORTON RD	MANSFIELD MATTHEW P & GWEN P	TRS/ MANSFIELD NOMINEE REALTY	22 MORTON ROAD	ARLINGTON	MA	02476
135-1-14	18 MORTON RD	HEGARTY ROBERT M & LAURA H		18 MORTON RD	ARLINGTON	MA	02476
135-1-18	30 BELLEVUE RD	AMITAY SARAH	ODELL CHRISTINE DIANE	30 BELLEVUE RD	ARLINGTON	MA	02476
135-1-19	26 BELLEVUE RD	DOYLE KATHLEEN M/ LIFE ESTATE		26 BELLEVUE RD	ARLINGTON	MA	02476
135-1-20	22 BELLEVUE RD	WARREN ELIZABETH M	WARREN ZACHARY D	22 BELLEVUE RD	ARLINGTON	MA	02476
135-1-21	18 BELLEVUE RD	PENNEY JANICE M & BRUCE D/ TRS	JANICE M PENNEY REVOCABLE TRUS	18 BELLEVUE RD	ARLINGTON	MA	02476
135-1-22	14 BELLEVUE RD	KIRCHAIN RANDOLPH E JR &	KIRCHAIN SHARRON M	14 BELLEVUE RD	ARLINGTON	MA	02476
135-1-23	10 BELLEVUE RD	KING LAWRENCE P/ETAL	KING LYNN M	10 BELLEVUE RD	ARLINGTON	MA	02476

ABUTTERS LIST**Date: April 3, 2023****Subject Property Location: 0 LOT JASON ST Arlington, MA****Subject Parcel ID: 139-1-18****Search Distance: 100 Feet****Conservation**

Parcel ID	Property Location	Owner 1	Owner 2	Mailing Address 1	City/Town	State	Zip
135-1-24	6 BELLEVUE RD	CAVICCHI A JOSEPH ETAL/ TRS	ALLEN JOSEPH CAVICCHI TRUST	6 BELLEVUE RD	ARLINGTON	MA	02476
135-1-25	2 BELLEVUE RD	TASSINARI SILVIO P & MARIE		2 BELLEVUE RD	ARLINGTON	MA	02476
135-2-11	3 BELLEVUE RD	DOUGHERTY KELLY &	REYNOLDS CHRISTOPHER	3 BELLEVUE RD	ARLINGTON	MA	02476
135-4-1	120 SPRING ST	GRANCHELLI WILLIAM F/ TRUSTEE	THERESA D GRANCHELLI 1990 TR	80 AUTUMN RD	WRENTHAM	MA	02093
138-1-1	159 JASON ST	QUINTO ERIC TODD ETAL/ TRS	159 JASON STREET REALTY TRUST	159 JASON ST	ARLINGTON	MA	02476
138-1-2	163 JASON ST	HUSSON JAMES J	SMITH LAURIE M	163 JASON STREET	ARLINGTON	MA	02476
138-1-3	167 JASON ST	COHN MARTIN & MARJORIE B		167 JASON ST	ARLINGTON	MA	02476
138-1-4	175 JASON ST	FERRARO JOSEPH C/ TRUSTEE	ONE SEVENTY-FIVE JASON STREET	175 JASON ST	ARLINGTON	MA	02476
138-1-6	179 JASON ST	COLLINS MICHAEL & MARTHA	TRUSTEES/JANET COLLINS TR.	179 JASON ST	ARLINGTON	MA	02476
138-1-7	183 JASON ST	MARQUIS DONALD R & ELAINE G		183 JASON ST	ARLINGTON	MA	02476
138-1-8	189 JASON ST	HALL CHRISTOPHER E & JULIE E		189 JASON ST	ARLINGTON	MA	02476
138-1-10	193 JASON ST	BOSCO JOSEPH A & ELLEN L		193 JASON ST	ARLINGTON	MA	02476
139-1-6	19 LINCOLN ST	KAEUFER KATRIN HEDWIG &	SCHARMER CLAUS OTTO	19 LINCOLN ST	ARLINGTON	MA	02476
139-1-7	23 LINCOLN ST	CARRIER SARAH	GIROD LEWIS	23 LINCOLN ST	ARLINGTON	MA	02476
139-1-8	30 WOODLAND ST	NATHANSON MARK/ETAL	NATHANSON SHARMAN C	30 WOODLAND STREET	ARLINGTON	MA	02476
139-1-9	26 WOODLAND ST	STANGE ERIC K ETAL/ TRS	COSTANGE REALTY TRUST	26 WOODLAND STREET	ARLINGTON	MA	02476
139-1-10	24 WOODLAND ST	GLOBIANA CAROL D		24 WOODLAND ST	ARLINGTON	MA	02476
139-1-11	20 WOODLAND ST	REED WILLIAM G	REED TEARE ELLEN	20 WOODLAND STREET	ARLINGTON	MA	02476
139-1-12	16 WOODLAND ST	GUTIERREZ GERARD	MATTHEWS DEBORAH L	16 WOODLAND ST	ARLINGTON	MA	02476
139-1-13	12 WOODLAND ST	HOWARD PETER B & JANE L		12 WOODLAND ST	ARLINGTON	MA	02476
139-1-14	6 WOODLAND ST	BANDAR RAYMOND B/TRUSTEE	WOODLAND ST 2011 REALTY TRUST	6 WOODLAND STREET	ARLINGTON	MA	02476
139-1-16	125 JASON ST	WIEAND THOMAS M &	MARKOV-WIEAND AMY E	125 JASON ST	ARLINGTON	MA	02476
139-1-17.B	0-LOT JASON ST	TOWN OF ARLINGTON PARK		730 MASS AVE	ARLINGTON	MA	02476
139-1-18	0-LOT JASON ST	TOWN OF ARLINGTON PARK	MENOTOMY ROCKS	730 MASS AVE	ARLINGTON	MA	02476
139-1-19	135 JASON ST	CUMMINGS WILL E & MARY K		135 JASON ST	ARLINGTON	MA	02476
139-1-20	141 JASON ST	DELGADO HUGO E	RODRIGUEZ-PERALTA CARMEN L	141 JASON ST	ARLINGTON	MA	02476
139-1-21	143 JASON ST	FORBES CAROL SENOPOULOS/ TRUST	CAROL SENOPOULOS FORBES TRUST	143 JASON ST	ARLINGTON	MA	02476
139-1-22	147 JASON ST	KAZAN JAD	CLOUGH REBECCA KATE	147 JASON ST	ARLINGTON	MA	02476
139-1-23	151 JASON ST	SNYDER TIMOTHY W--ETAL	SNYDER PENELOPE F	151 JASON ST	ARLINGTON	MA	02476

ABUTTERS LIST**Date: April 3, 2023****Subject Property Location: 0 LOT JASON ST Arlington, MA****Subject Parcel ID: 139-1-18****Search Distance: 100 Feet****Conservation**

Parcel ID	Property Location	Owner 1	Owner 2	Mailing Address 1	City/Town	State	Zip
139-1-24	155 JASON ST	LEATHERMAN JASON W	LIU CHEN	155 JASON STREET	ARLINGTON	MA	02476
144-5-1	30 HIGH HAITH RD	HORNAK VIKTOR &	HORNAKOVA ALENA	30 HIGH HAITH RD	ARLINGTON	MA	02476
144-5-2	34 HIGH HAITH RD	KIRWAN ROBERT	WANG BING	34 HIGH HAITH RD	ARLINGTON	MA	02476
144-5-3	38 HIGH HAITH RD	ORAM ANDREW & LEBOW JUDITH		38 HIGH HAITH ROAD	ARLINGTON	MA	02476
144-5-4	42 HIGH HAITH RD	FREUDENREICH OLIVER	FREUDENREICH CATHERINE	42 HIGH HAITH ROAD	ARLINGTON	MA	02476
144-5-5	46 HIGH HAITH RD	WING SUSAN/ETAL	SIEGEN THEODORE A	46 HIGH HAITH ROAD	ARLINGTON	MA	02476
144-5-6	50 HIGH HAITH RD	VANDERHILL MATTHEW J ETAL	TRS/ MMVANDERHILL TRUST	50 HIGH HAITH RD	ARLINGTON	MA	02476
144-6-9	37 OTTAWA RD	GOLDSHLAG NATHAN L	AUGER JANE A	37 OTTAWA ROAD	ARLINGTON	MA	02476
144-6-10	63 HIGH HAITH RD	POOR BANCROFT R--ETAL	POOR MARY E	63 HIGH HAITH RD	ARLINGTON	MA	02476
144-10-1	47 OTTAWA RD	JOHNSON ELIZABETH W		47 OTTAWA ROAD	ARLINGTON	MA	02476
144-10-2	60 HIGH HAITH RD	NIELSEN CHRIS P	REICHERT EMILY L	60 HIGH HAITH RD	ARLINGTON	MA	02476
144-10-3	64 HIGH HAITH RD	LEHTONEN VILLE JUHANI &	LEFTONEN ELIZABETH ERIN	64 HIGH HAITH ROAD	ARLINGTON	MA	02476
144-10-4	68 HIGH HAITH RD	KRAUSE DIANE R/TRUSTEE	DIANE KRAUSE TRUST	68 HIGH HAITH ROAD	ARLINGTON	MA	02476
144-10-5	72 HIGH HAITH RD	O'ROURKE DAVID	MURPHY ANNE	72 HIGH HAITH ROAD	ARLINGTON	MA	02476
144-10-6	76 HIGH HAITH RD	GORDON MICHAEL A & ELIZABTH M	TRS/ GORDON FAMILY TRUST	76 HIGH HAITH RD	ARLINGTON	MA	02476
144-10-7	80 HIGH HAITH RD	BERGIN VIRGINIA A		80 HIGH HAITH RD	ARLINGTON	MA	02476
144-10-8	86 HIGH HAITH RD	SCHUSSHEIM SHELLEY R TRUSTEE	SHELLEY R SCHUSSHEIM 2018	86 HIGH HAITH RD	ARLINGTON	MA	02476
144-10-9	88 HIGH HAITH RD	GERBER EVAN &	POMIECINSKA KAMILA	88 HIGH HAITH	ARLINGTON	MA	02476
145-3-1	185 SPRING ST	CRILLEY HAYDEN D		185 SPRING ST	ARLINGTON	MA	02476
145-3-2.A	173 SPRING ST	OUELLETTE MARY F & ROBERT L JR/ TRS	MARY F OUELLETTE REVOCABLE TR	77 RIDGE ST	ARLINGTON	MA	02474
145-3-3.A	189 SPRING ST	GAEL LINDSEY	MORGAN WILLIAM	189 SPRING ST	ARLINGTON	MA	02476
145-7-5	184 SPRING ST	CURA MARY A		184 SPRING ST	ARLINGTON	MA	02476
145-7-7	0-LOT SPRING ST	TOWN OF ARLINGTON TAX POSS		730 MASS AVE	ARLINGTON	MA	02476
135-1-16.1	34 BELLEVUE RD	RUSSELL BARRY W & DOUGLAS R		34 BELLEVUE RD	ARLINGTON	MA	02476
135-1-16.2	38 BELLEVUE RD	CHANDRA NEERAJ/ TRUSTEE	NEERAJ REVOCABLE TRUST	3219 KILBURN PARK CIR	ANN ARBOR	MI	48105



- Places by Category
- Police Station
 - Fire Station
 - School
 - Library
 - Public Works
 - Recreation - Facilities
- Recreation - Fields Courts
- Recreation - Fields Courts
 - Open Space: Conservation
 - Open Space - Minuteman
 - Open Space - Labels
 - Open Space
 - Town, State, or Private
 - Other Town Owned
- MA Highways
- Interstate
 - US Highway
 - Numbered Routes
- Abutting Towns
- Town Boundary
 - Parcels
 - Buildings
- Cemetery - Roads
- Road1
 - Road2
 - Road3
 - Road4
- Pavement Markings
- Impervious Surface - For B
- Street
 - Sidewalk
 - Street Island
 - Driveway
 - Parking Lot
 - Bike Path
- Roads - For Large Scale (f
- Roads - For Small Scale (f
- Major Road
 - Local Road
- Master Plan Base Map - M
- Water Line
 - Water Body

ABUTTER NOTIFICATION

Notification to Abutters Under the Massachusetts Wetlands Protection Act and Arlington Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a virtual public meeting using Zoom, on May 4, 2023, at 7:00 PM in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended), the Town of Arlington Bylaws Article 8, Bylaw for Wetland Protection, and in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, for a Notice of Intent from the Town of Arlington, for aquatic management of invasive species at Hill's Pond in Menotomy Rocks Park, within 100 feet of a wetland, on Assessor's Property Map #139-1, Lot #18. Please refer to the Commission's online meeting agenda for specific Zoom meeting access information.

A copy of the application and accompanying plans are available by request by contacting the Arlington Conservation at 781-316-3012 or concomm@town.arlington.ma.us. For more information, call the Arlington Conservation Commission (781-316-3012), or the DEP Northeast Regional Office (978-694-3200).

NOTE: Notice of the Public Hearing will be published at least five (5) business days in advance in *The Arlington Advocate* and will also be posted at least 48 hours in advance in the Arlington Town Hall.

AFFIDAVIT OF SERVICE

I, David Morgan, being duly sworn, do hereby state as follows: on 04/27/23, I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

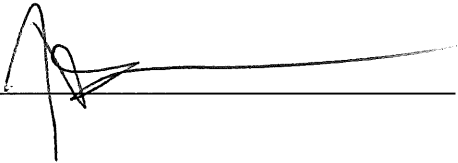
Aquatic management of Hill's Pond

0 Lot Jason Street

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this 27 of *April*, 2023.

Name

A handwritten signature in dark ink, appearing to be 'David Morgan', is written over a horizontal line. The signature is stylized with a large initial 'D' and a long horizontal stroke.